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5	CURERIOR COURT OF WACHING	STON FOR WING COUNTY
6	SUPERIOR COURT OF WASHING	TON FOR KING COUNTY
7	STATE OF WASHINGTON,)
8	Plaintiff,) No.
9	VS.) STATEMENT OF DEFENDANT ON
10	,	PLEA OF GUILTY TO FELONYSEX OFFENSE (STTDFG)
12	Defendant.)
13		_)
14	1. My true name is	
15	 My date of birth is 	
16	·	
17	 I went through the	
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19	(a) I have the right to representation by a lawyer; if I cannot afford to pay for a lawyer, one	
20	will be provided at no expense to me. My lawyer's name is	
21	(b) I am charged with the crime(s) of	
22	The elements of this crime(s) are set forth in the information/amended information, which is incorporated by reference and which I have reviewed with my lawyer.	
	which is incorporated by reference and which i have it	eviewed with my lawyer.
	FORM REV 6/16/23 STATEMENT OF DEFENDANT ON PLEA OF GUI (Felony Sex Offense) - 1	LTY

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 carries a sentence(s) of:

Count No.	Standard Range	Enhancement That Will Be Added to Standard Range	Maximum Term And Fine
			years
			years \$
			years \$years

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STATEMENT OF DEFENDANT ON PLEA OF GUILTY

(Felony Sex Offense) - 3

- (b) The standard sentence range is based on the crime charged and my criminal history. Criminal history includes prior convictions and juvenile adjudications or convictions, whether in this state, in federal court, or elsewhere.
- (c) The prosecuting attorney's statement of my criminal history is attached to this agreement. Unless I have attached a different statement, I agree that the prosecuting attorney's statement is correct and complete. If I have attached my own statement, I assert that it is correct and complete. If I am convicted of any additional crimes between now and the time I am sentenced, I am obligated to tell the sentencing judge about those convictions.
- (d) If I am convicted of any new crimes before sentencing, or if any additional criminal history is discovered, both the standard sentence range and the prosecuting attorney's recommendations may increase or a mandatory sentence of life imprisonment without possibility of parole may be required by law. Even so, I cannot change my mind and my plea of guilty to this charge is binding on me.
- (e) In addition to sentencing me to confinement, the judge will order me to pay any mandatory fines or penalties that apply to my case. If this crime is commercial sexual abuse of a minor, promoting commercial sexual abuse of a minor, or promoting travel for commercial sexual abuse of a minor, the judge will impose an additional fine of \$5000 unless the judge finds that I am indigent. If this crime resulted in injury to any person or damages to or loss of property, the judge will order me to make restitution, unless extraordinary circumstances exist which make restitution inappropriate. If restitution is owed to an insurer or a state agency, in some circumstances the judge has the discretion to reduce or waive the amount owed, based on my current or likely future inability to pay. The judge may also order that I pay a fine, court costs, attorney fees, and other

costs and fees, and place other restrictions and requirements upon me. Furthermore, the judge may place me on community custody.

(f)

- (i) For sex offenses committed before September 1, 2001: In addition to sentencing me to confinement, the judge may order me to serve up to one year of community custody if the total period of confinement ordered is not more than 12 months. If the period of confinement is more than one year, the judge will order me to serve three years of community custody (two years or up to the period of earned early release, whichever is longer, up to 36 months, if offense committed before 6/6/1996). During the period of community custody, I will be under the supervision of the Department of Corrections, and I will have restrictions and requirements placed upon me.
- (ii) For sex offenses committed on or after September 1, 2001:
 - (a) Sentencing under RCW 9.94A.507 (formerly RCW 9.94A.712): If this offense is for any of the offenses listed in subsections (1) or (2), below, the judge will impose a maximum term of confinement consisting of the statutory maximum sentence for the offense, and a minimum term of confinement either within the standard range for the offense or outside the standard range if an exceptional sentence is imposed. The minimum term of confinement that is imposed may be increased by the Indeterminate Sentence Review Board if the Board determines by a preponderance of the evidence that it is more likely than not that I will commit sex offenses if

released from custody. In addition to the period of confinement, I will be sentenced to community custody for any period of time I am released from total confinement before the expiration of the maximum sentence. During the period of community custody I will be under the supervision of the Department of Corrections and I will have restrictions and requirements placed upon me and I may be required to participate in rehabilitative programs.

(1) If the current offense is any of these offenses or attempt to commit any of these offenses:

Rape in the first degree	Rape in the second degree	
Rape of a child in the first degree	Rape of a child in the second degree	
committed when I was at least 18 years	committed when I was at least 18 years	
old.	old.	
Child molestation in the first degree	Indecent liberties by forcible	
committed when I was at least 18 years	compulsion	
old.		
Any of the following offenses with a finding of sexual motivation:		
Murder in the first degree	Murder in the second degree	
Homicide by abuse	Kidnapping in the first degree	
Kidnapping in the second degree	Assault in the first degree	
Assault in the second degree	Assault of a child in the first degree	
Burglary in the first degree	Assault of a child in the second degree	

(2) If the current offense is any sex offense and I have a prior conviction for any of these offenses or attempt to commit any of these offenses or a comparable offense in this state, in federal court, or elsewhere:

Rape in the first degree	Rape in the second degree	
Rape of a child in the first degree	Rape of a child in the second degree	
Child molestation in the first degree	Indecent liberties by forcible	
	compulsion	
Any of the following offenses with a finding of sexual motivation:		
Murder in the first degree	Murder in the second degree	

Homicide by abuse	Kidnapping in the first degree
Kidnapping in the second degree	Assault in the first degree
Assault in the second degree	Assault of a child in the first degree
Burglary in the first degree	Assault of a child in the second degree

- (b) If this offense is a sex offense that is not listed in paragraph 6(f)(ii)(a), in addition to sentencing me to confinement, the judge may order me to serve up to one year of community custody if the total period of confinement ordered is not more than 12 months. If the period of confinement is over one year, the judge will sentence me to community custody for a period of 36 months. During the period of community custody to which I am sentenced, I will be under the supervision of the Department of Corrections, and I will have restrictions and requirements placed upon me.
- (iii) If this offense is Failure to Register as a Sex Offender and the crime was committed on or after June 7, 2006, regardless of the term of confinement ordered, the judge will sentence me to community custody for a period of 36 months. During the period of community custody, I will be under the supervision of the Department of Corrections, and I will have restrictions and requirements placed upon me.
- (g) The prosecuting attorney will make the following recommendation to the judge:

☐ The prosecutor will make the recommendation stated in the plea Agreement and State's Sentence Recommendation, which are incorporated by reference.

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STATEMENT OF DEFENDANT ON PLEA OF GUILTY

(Felony Sex Offense) - 7

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For offenses committed on or after September 1, 2001: The judge may suspend execution of the standard range term of confinement or the minimum term of confinement, under the special sex offender sentencing alternative (SSOSA) if I qualify under RCW 9.94A.670. If the judge suspends execution of the standard range term of confinement for a sex offense that is not listed in paragraph 6(f)(ii)(a), I will be placed on community custody for the length of the suspended sentence or three years, whichever is greater. If the judge suspends execution of minimum term of confinement for a sex offense listed in paragraph 6(f)(ii)(a), I will be placed on community custody for the length of the statutory maximum sentence of the offense. In addition to the term of community custody, I will be ordered to serve up to 180 days of total confinement or, for a crime committed after July 1, 2005, up to 12 months of total confinement with no early release; I will be ordered to participate in sex offender treatment; I will have restrictions and requirements placed upon me; and I will be subject to all of the conditions described in paragraph 6(e). Additionally, the judge could require me to devote time to a specific occupation and to pursue a prescribed course of study or occupational training. If a violation of the sentence occurs during community custody, the judge may revoke the suspended sentence.

- (t) I understand that RCW 46.20.285(4) requires that my driver's license be revoked if the judge finds that in the commission of the offense a motor vehicle was used in a manner that endangered persons or property.
- (u) 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.

(v) I will be required to provide a biological sample for purposes of DNA identification analysis. Refusal to provide a biological sample as required is a gross misdemeanor under RCW 43.43.754.

- (w) I will be required to register where I reside, attend school, or work. The specific registration requirements are described in Appendix J, Notice of Registration Requirements, which is attached to this form.
- (x) This plea of guilty will result in the revocation of my right to possess, own, or have in my control any firearm unless my right to do so is restored by a superior court in Washington State, and by a federal court if required. I must immediately surrender any concealed pistol license.
- (y) I will be ineligible to vote until that right is restored in a manner provided by law. My right to vote is automatically restored as long as I am not serving a sentence of total confinement (as defined in RCW 29A.08.520) under the jurisdiction of the Department of Corrections and not incarcerated for a felony conviction in federal court or any state court other than Washington. If I am sentenced to total confinement under the jurisdiction of the Department of Corrections or otherwise incarcerated as described in this subsection, my voter registration will be cancelled.
- (z) Because this is a crime of domestic violence, I may be ordered to pay a domestic violence assessment of up to \$115. If I, or the victim of the crime, have a minor child, the court may order me to participate in a domestic violence perpetrator program approved under RCW 43.20A.735. If I am convicted under RCW 7.105.450 or former RCW 26.50.110, for a violation that occurred on or after July 24, 2015, of a domestic violence protection order issued under chapter 7.105 RCW or former chapter 26.50 RCW, the court will impose a mandatory fine of \$15.00.

1	[If not applicable, this paragraph should be stricken and initialed by the defendant and the judge
2]
3	(aa) Because I am pleading guilty to commercial sexual abuse of a minor, a condition of my
4	sentence will be that I not be subsequently arrested for patronizing a prostitute or commercial sexual
5	abuse of a minor. The court will impose crime-related geographic restrictions on me if feasible. If
6	this is my first offense, the court will order me to attend a program designed to educate me about
7	the negative costs of prostitution. [If not applicable, this paragraph should be stricken and initialed
8	by the defendant and the judge]
9	(bb) Because the crime to which I am pleading guilty was the result of my arrest for one of
10	the following crimes, the listed fee for the crime of arrest must be imposed by the judge at
11	sentencing. The court may reduce the fine by up to two-thirds if it finds that I do not have the
12	ability to pay the fee.
13	Trafficking in the first or second degree: \$10,000 Indecent exposure, prostitution, or a comparable county or municipal crime: \$50
14	Permitting prostitution or a comparable county or municipal crime: \$1500 if the defendant has no prior convictions, deferred sentences, deferred prosecutions,
15	or diversion agreements for this offense; \$2500 if the defendant has one such prior; \$5000 if the defendant has two such priors.
16	Patronizing a prostitute or a comparable county or municipal crime: \$1500 if the defendant has no prior convictions, deferred sentences, deferred prosecutions,
17	or diversion agreements for this offense; \$2500 if the defendant has one such prior; \$5000 if the defendant has two such priors.
18	Promoting prostitution in the first or second degree, or a comparable county or municipal crime: \$3000 if the defendant has no prior convictions, deferred
19	sentences, deferred prosecutions, or diversion agreements for this offense; \$6000 if the defendant has one such prior; \$10,000 if the defendant has two
20	such priors. Commercial sexual abuse of a minor, promoting commercial sexual abuse of a
21	minor, promoting travel for commercial sexual abuse of a minor, or a comparable county or municipal crime: \$5000.
22	

1	[If not applicable, this paragraph should be stricken and initialed by the defendant and the judge
2]
3	(cc) If I have Washington State volunteer firefighters vehicle license plates, I must
4	surrender those license plates at the time this plea is entered.
5	(dd) If I am pleading guilty to possession of depictions of a minor engaged in sexually
6	explicit conduct in the first or second degree, and the crime occurred on or after July 24, 2015, the
7	court will impose a fee of \$1,000 for each depiction or image that is a separate conviction.
8	[If not applicable, this paragraph should be stricken and initialed by the defendant and the
9	judge]
10	7. I plead guilty to the crime(s) of
11	
12	
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14	as charged in the information/ amended information, including all charged
15	enhancements and domestic violence designations. I have received a copy of that information.
16	8. I make this plea freely and voluntarily.
17	9. No one has threatened harm of any kind to me or to any other person to cause me to
18	make this plea.
19	10. No person has made promises of any kind to cause me to enter this plea except as set
20	forth in this statement.
21	11. The judge has asked me to state briefly in my own words what I did that makes me
22	guilty of this (these) crime(s), including enhancements and domestic violence relationships, if they
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1	apply. This is my statement:	
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	10 34 1 1 1 1 1 6	ally discussed all of the above
11	12. My lawyer has explained to me, and we have for	any discussed, an of the above
11 12	paragraphs. I understand them all. I have been given a cop	•
		by of this "Statement of Defendant on
12	paragraphs. I understand them all. I have been given a cop	by of this "Statement of Defendant on
12 13	paragraphs. I understand them all. I have been given a cop	by of this "Statement of Defendant on
12 13 14	paragraphs. I understand them all. I have been given a cop	by of this "Statement of Defendant on e.
12 13 14 15	paragraphs. I understand them all. I have been given a cop	by of this "Statement of Defendant on e. DEFENDANT I have read and discussed this statement
12 13 14 15 16	paragraphs. I understand them all. I have been given a cop	by of this "Statement of Defendant on e. DEFENDANT I have read and discussed this statement with the defendant and believe that the defendant is competent and fully
12 13 14 15 16 17	paragraphs. I understand them all. I have been given a cop	by of this "Statement of Defendant on e. DEFENDANT I have read and discussed this statement with the defendant and believe that the defendant is competent and fully
12 13 14 15 16 17	paragraphs. I understand them all. I have been given a cop	by of this "Statement of Defendant on e. DEFENDANT I have read and discussed this statement with the defendant and believe that the defendant is competent and fully
12 13 14 15 16 17 18 19	paragraphs. I understand them all. I have been given a copplea of Guilty." I have no further questions to ask the judg PROSECUTING ATTORNEY	DEFENDANT I have read and discussed this statement with the defendant and believe that the defendant is competent and fully understands the statement. DEFENDANT'S LAWYER
12 13 14 15 16 17 18 19 20	paragraphs. I understand them all. I have been given a copplea of Guilty." I have no further questions to ask the judg PROSECUTING ATTORNEY Print Name:	DEFENDANT I have read and discussed this statement with the defendant and believe that the defendant is competent and fully understands the statement. DEFENDANT'S LAWYER Print Name:

1 2 3 4 5 6	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.	
7		
8	Dated this day of	
9	ППОСЕ	
10	JUDGE	
11	I am a Washington State court certified interpreter or have been found otherwise qualified	
12		
13	defendant from English into that language. I certify under penalty of perjury under the laws of the	
14	State of Washington that the foregoing is true and correct. Dated this day of, 20	
15		
	INTERPRETER	
16	Print Name:	
17		
18	[<u>If bilingual Spanish form is used</u> .] I am a Washington State court certified interpreter for the Spanish language. I have provided in this form a written Spanish translation of the portions of the	
	form completed in English by the defendant or the defendant's attorney. I certify under penalty of	
19	perjury under the laws of the State of Washington that the foregoing is true and correct. Dated this day of, 20 .	
20		
21	TRANSLATOR	
	Print Name:	
22		
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