

CLALLAM COUNTY DISTRICT COURT II

STATE

CITY OF FORKS

CASE NO. \_\_\_\_\_

DEFENDANT'S NAME: \_\_\_\_\_

VIOLATION CHARGED  DRIVING WHILE UNDER THE INFLUENCE OF ALCOHOL OR DRUGS  
 PHYSICAL CONTROL WHILE UNDER THE INFLUENCE OF ALCOHOL OR DRUGS

**STATEMENT OF DEFENDANT ON PLEA OF GUILTY**

1. My true name is above set forth. I am \_\_\_\_\_ years old, and have completed the \_\_\_\_\_ grade in school.
2. I understand I am charged with the above stated offense and I have received a copy of the complaint or citation charging me with that crime.
3. The elements of the crime in this case that the State (or City) must prove are:
  - a. I drove or was in physical control of a motor vehicle within Clallam County (and the City of I am charged under a city ordinance). AND
  - b. While so driving or while in physical control of a motor vehicle either:
    - B1. My ability to drive was affected appreciably by alcohol or drugs, or
    - B2. My blood alcohol was over permitted limits of .08% blood alcohol, or .08 grams per liter breath alcohol.
4. If I plead guilty, the court does not have to follow any recommended sentence and is completely free to impose the maximum fine and jail penalty, plus court costs, fees and any assessments authorized by law, and restitution to victims injured by me up to double the victim's loss or my gain.
5. The court has informed me that I have the following rights:
  - a. The right to a speedy and public jury trial.
  - b. The right at trial to testify on my own behalf and to have witnesses.
  - c. The right to remain silent, before and during trial, and I need to testify for or against myself.
  - d. The right at trial to hear and question witnesses who testify against me.
  - e. The right to appeal the result of the case to Superior Court.
  - f. The right to be presumed innocent until all elements of the crime is proved beyond a reasonable doubt.

**BUT IF I PLEAD GUILTY, I WAIVE (GIVE UP) ALL OF THE ABOVE RIGHTS.**

6. The court has also informed me that I have the right to the assistance of and representation by an attorney and that if I cannot pay for an attorney, one will be provided to me at no expense to me, and with that right in mind,
  - a.  I waive (give up) my right to have an attorney help me, OR
  - b.  I am now represented by \_\_\_\_\_.
7. If I am not a citizen, a plea of guilty is grounds for deportation or exclusion from the United States, or denial of any rights to become a citizen.
8. The State or City Prosecuting Attorney has made no recommendations as to sentence except (if none, put none) \_\_\_\_\_.
9. Promises made to me (if none, put none) \_\_\_\_\_.
10. No one has made any promises to me except any above set forth in statement #8 or 9, nor threatened harm to me or anyone else, to cause me to plead guilty.
11. I understand everything above, and have no questions to ask the court.
12. **I FREELY AND VOLUNTARILY PLEAD** () **GUILTY** () **NOT GUILTY TO THE ABOVE CHARGE(S)**
13. The Judge has asked me to state in briefly in my own words what I did that makes me guilty of this crime. This is my statement

\_\_\_\_\_  
**WITH ALL OF THE FOREGOING IN MIND, I STILL PLEAD GUILTY TO THE ABOVE CHARGE.**

Dated \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_ Defendant's signature

DEFENSE ATTORNEY (if any) statement: I have fully discussed this defendant's guilty plea statement with him or her and believe the defendant is competent and fully understands it:

\_\_\_\_\_  
Prosecuting Attorney signature

\_\_\_\_\_  
Defense Attorney signature

**COURT CERTIFICATION AND FINDINGS OF GUILT**

The defendant acknowledged in open court that () defendant had previously read () defendant's attorney had previously read to defendant () an interpreter had previously read to defendant the entire statement on the other side of this document, (and those parts on this page applicable to defendant), and that defendant understood it and signed it. I find that the defendant's plea of guilty was and in knowingly, intelligently and voluntarily made, that the defendant understands the charges and consequences of a guilty plea, and that there is a factual basis for the plea, and I FIND THE DEFENDANT GUILTY AS CHARGED.

DATED \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_ JUDGE

