

**SUPERIOR COURT OF CALIFORNIA
COUNTY OF SONOMA**

**COUNTY OF SONOMA, DEPARTMENT _____
DEFENDANT'S WAIVER OF CONSTITUTIONAL RIGHTS PRIOR TO ENTRY OF PLEA OF GUILTY OR NO CONTEST**

DEFENDANT'S NAME: _____ CASE NO: _____

ATTORNEY'S NAME: _____ (Def. Initial After Reading)

1. I UNDERSTAND THAT I AM CHARGED WITH THE OFFENSE OF _____
_____ TO WHICH I PLEAD (GUILTY) (NO CONTEST) AND I DO FREELY AND VOLUNTARILY
GIVE UP EACH AND ALL OF MY FOLLOWING RIGHTS:

- a. To be represented by an attorney of my own choice, or if I cannot afford an attorney, to have the court appoint one to represent me subject, however, to the possibility that the court may at the conclusion of these proceedings against me, require that I pay a portion or all of the cost thereof based upon my then financial ability. _____
- b. To a speedy trial, that is: Within 30 days of my arraignment if I am in custody, or within 45 days thereof if I am not in custody and to a dismissal of the charges against me if I am not so tried. _____
- c. To a public trial by court or by a jury at my election. _____
- d. To confront the witnesses against me in trial and to cross examine them myself or through my attorney. _____
- e. To subpoena witnesses for my defense without expense to me. _____
- f. To testify in my own defense. _____
- g. To refuse to testify if I so desire and to thereby refuse to give evidence that may be used against me. _____
- h. To the presumption of innocence until the prosecution shall have proved me guilty beyond a reasonable doubt. _____

2. I understand the nature of the charges against me, the elements thereof and the available pleas and defenses thereto.

3. I understand that the maximum and mandatory minimum sentences for this offense are as follows: _____

4. It is stipulated that this case may be heard and/or sentence imposed by a court commissioner. _____

5. I understand that if I am charged and convicted of a similar offense in the future that the plea of (guilty) (no contest) I now enter may be used to increase my punishment, the consequences of which have been explained to me (including "Page 2" hereof). _____

6. I also understand that if I receive probation and violate any of the terms thereof, I may be returned to Court and sentenced, as in Paragraph 3 above, on this charge as set forth in Paragraph 3 above. _____

7. I understand that if I am not a citizen of the United States, the conviction for the offense charged may have the consequences of deportation, exclusion from admission to the United States, or denial of naturalization pursuant to the laws of the United States.

8. I understand that the following sentence will be (recommended) (imposed and if it is not so imposed than I may withdraw my plea):

9. DEFENDANT: I have personally initialed each of the above boxes and I understand each and everyone of the rights outlined above and I hereby waive and give up each of them in order to enter my (guilty) (no contest) plea to the above charge.

DATED: _____ SIGNED: _____
(Defendant's Signature)

10. DEFENDANT'S ATTORNEY ONLY: I am attorney of record and I have explained each of the above rights to the defendant, and having explored the fact with him and studied his possible defenses to the charge(s), I concur in his decision to waive the above rights and to enter a plea of (guilty) (no contest). I further stipulate that this document may be received by the court as evidence of defendant's intelligent waiver of these rights and that it shall be filed by the clerk as a permanent record to that waiver. I have witnessed the reading of this form by the defendant and his initialings and signature upon it.

DATED: _____ SIGNED: _____
(Attorney's Signature)

AFTER READING, INITIALING AND SIGNING, GIVE TO COURTROOM CLERK

CONSEQUENCES OF PLEA OF "GUILTY" OR "NO CONTEST" TO _____

The Court finds that said waivers have been made knowingly, intelligently, freely, voluntarily, and understandingly, and that there is a factual basis for the plea(s). SEE BACK OF THIS PAGE

DATED: _____ SIGNED: _____
(Judge's Name)



INITIAL EACH PAGE SEPARATELY

(Insert Code Section and Description of Offense)

VIOLATIONS	MAXIMUM SENTENCE		DRIVER'S PRIVILEGES		VEHICLE IMP	PT. CT. vs. LIC.	DEFT. INIT.
	FINE	JAIL	SUSPEND	REVOKE			
1. CVC 20002	\$500	6mos.	6mos.	3rd conv in 12 mos.		2	
2. CVC 23103	\$1000 \$145 min. or	90 days 5 days min.	6mos.	3rd conv in 12 mos.		2	
3. CVC 14601.1 a. 1st Conviction	\$500	6 mos.	If offense committed in defendant's vehicle, it may be impounded for 6 months on 1st offense and 12 months on 2nd subsequent offense.				
b. 2nd in 5 years	\$2,000	1 year 5 days min.					
4. CVC 14601 a. 1st Conviction	\$1,000	6 mos. 5 days min	If offense committed in defendant's vehicle, it may be impounded for 6 months on 1st offense and 12 months on 2nd subsequent offense.				
b. 2nd in 5 years	\$2,000	1 year 10 days min.					
5. CVC 14601.2 a. 1st Conviction	\$500	6 mos. 10 day min	If offense committed in defendant's vehicle, it may be impounded for 6 months on 1st offense and 12 months on 2nd subsequent offense.				
b. 2nd in 5 years	\$1,000	1 year 30 day min.					
6. CVC 14601.5 a. 1st Conviction	\$1,000	6 mos.	If offense committed in defendant's vehicle, it may be impounded for 6 months on 1st offense and 12 months on 2nd subsequent offense.				
b. 2nd in 5 years if prior conviction is 14601, 14601.2 or 14601.5 (but not 14601.1)	\$1,000	1 year 10 day min.					
7. PENAL CODE 484-488 a. 1st Conviction	\$1,000	6 mos.	If jail time served on prior conviction.				
b. 2nd Conviction		3 years					
8. PENAL CODE 314.1 a. 1st Conviction	\$1,000	6 mos	Register with Police of City or Sheriff of County of residence within 30 days and renew registration within 30 days of moving to another city or county. P.C. 290				
b. 2nd Conviction		3 years					
9. PENAL CODE 647(a) a. 1st Conviction	\$1,000	6 mos.	Register with Police of City or Sheriff of County of residence within 30 days and renew registration within 30 days of moving to another city or county. P.C. 290				
b. 2nd Conviction		3 years					
10. PENAL CODE 647(b) a. 1st Conviction	\$1,000	6 mos.					
b. 2nd Conviction	\$1,000	6 mos. 45 days min.					
c. 3rd Conviction	\$1,000	6mos. 90 days min.					
11. PC 459 BURGLARY	UP TO 1 YEAR IN JAIL AND UP \$1,000 FINE						
12. PC 470 FORGERY	UP TO 1 YEAR IN JAIL AND UP \$1,000 FINE.						
13. PC 476a INSUFFICIENT FUNDS CHECK	UP TO 1 YEAR IN JAIL AND UP \$1,000 FINE.						
14. PC 496 RECEIVING STOLEN PROPERTY	UP TO 1 YEAR IN JAIL AND UP \$1,000 FINE;						
15. PC 499b JOYRIDING	UP TO 90 DAYS IN JAIL AND UP TO \$400 FINE. COUNTS AS A PRIOR CONVICTION SO UPON A THIRD ARREST WOULD ALLOW IT TO BE CHARGED AS A FELONY.						
16. PC 647.6 CHILD MOLESTING	UP TO 1 YEAR IN JAIL AND UP TO \$1,000 FINE. COUNTS AS PRIOR CONVICTION SO A SECOND ARREST WOULD ALLOW IT TO BE CHARGED AS A FELONY. REGISTRATION WITH POLICE PER PC 290 IS REQUIRED SERIOUS HABITUAL OFFENDER ASSESSMENT OF \$100.						
17. PC 12025(b) POSSESSION OF CONCEALED WEAPON ON PERSON	UP TO 1 YEAR IN JAIL AND UP TO \$1,000 FINE. COUNTS AS PRIOR CONVICTION SO WOULD ALLOW A SECOND ARREST TO BE CHARGED AS A FELONY						