

**PLACER COUNTY SUPERIOR  
ADVISEMENT AND WAIVER OF RIGHTS (FELONY)**

**People vs. [full name]:** \_\_\_\_\_

**Date of birth:** \_\_\_\_\_

**Case number:** \_\_\_\_\_

Ct	Charge	(F) (M)	Ser Fel	Potential sentencing range	Potential enhancements & years	Total sentence

You have the following trial rights in connection with the charges which are now pending against you. You will be giving up all of the following rights if you enter a plea of guilty or no contest.	I understand this right	I give up this right
	initial	initial
<b>Jury Trial:</b> You have the right to a jury trial on the charges which are pending against you.		
<b>Confrontation:</b> You have the right to confront the witnesses against you in trial: to see, hear and question all witnesses yourself or through your attorney.		
<b>Subpoena:</b> You have the right to subpoena witnesses for your defense.		
<b>Testimony:</b> You have the right to testify in your own defense.		
<b>Self-incrimination:</b> You have the right to remain silent and you cannot be forced to testify if you do not want to do so.		
<b>Preliminary Hearing:</b> You have the right to a preliminary hearing to determine if there is probable cause to hold you to trial.		
<b>Registration Requirements:</b> I understand that I will be required to register as: Sex offender (PC §290); Narcotics offender (HS§11590); Arson (PC§457.1); Street gang (PC§186.30)		
I understand that if I am not a citizen of the United States the conviction for the offense charged "may have the consequence of deportation, exclusion from admission to the United States, or denial of naturalization pursuant to the laws of the United States." (PC§1016.5)		
I understand that if I am sentenced to state prison, either now or after violation of probation, that I may be subject to a period of parole for up to seven years following my release from state prison (14 years under PC§667.61; up to "life" if convicted of murder or specified sex crimes.		
I understand that the judge's acceptance of this plea is not binding; that before sentencing the judge can withdraw approval and that I will be allowed to withdraw my plea (PC§1192.5)		
Attorney's statement: I have explained the contents of this form to my client. I have had sufficient time to discuss this case with my client, including the elements of the crime, and I have advised him/her of his/her rights, defenses and the consequences of his/her plea. I join in the waiver of the rights made by my client, including the right to a jury trial.	Defendant's statement: I have read the front and back of this form. If represented by an attorney, I have had enough time to speak with my attorney; I have told my attorney everything I know about this case; my attorney has explained to me my rights, my defenses and the possible consequences of my plea, including the consequences explained on the second page of this form. I am entering this plea freely and voluntarily. I understand that the legal effect of a no contest plea is the same as a guilty plea. I hereby enter a plea of <input type="checkbox"/> guilty <input type="checkbox"/> nolo contendere to the charges listed above.	
Dated: Signed:	Dated: Signed:	
The Court finds the defendant understands his/her constitutional rights, the nature of the crime(s) which he/she is admitting, the consequences of the plea, that the plea and waiver of rights have been knowingly and voluntarily made and that there is a factual basis for the plea.		
Dated: _____ Signed: _____		

**INTERPRETER'S STATEMENT (if applicable)**

I, \_\_\_\_\_ have been duly sworn or is certified and has an oath on file, truly translated this form to the defendant in the \_\_\_\_\_ language. The defendant indicated that he/she understood the contents of the form and he/she then completed the form.

Dated: \_\_\_\_\_ Signed: \_\_\_\_\_ Interpreter

<b>Fines and Restitution</b>	<ul style="list-style-type: none"> <li>You may be required to pay a fine of up to \$50,000.00 plus penalty assessments.</li> <li>You are subject to a restitution fine of no less than \$200.00 and up to \$10,000.00. (per case)</li> <li>You will be required to make restitution to the victim(s) for any losses suffered as a result of the crime(s).</li> </ul>
<b>Probation Terms</b>	<p>You could be placed on probation for up to five years. As a condition of probation you could be required to serve up to one year in the county jail. You could be required to report to the court or the probation department, be subject to search and seizure without probable cause and you could be required to comply with other conditions in your case which deal with the crime to which you are pleading guilty or no contest. If you violate probation, (1) you could be required to serve additional jail time while remaining on probation, (2) you could have your probation terminated and be required to serve a local term of imprisonment in the county jail pursuant to Penal Code § 1170(h) up to the maximum stated on this form, or (3) you could be sent to state prison for the maximum term stated on this form.</p>
<b>Local Term of Imprisonment if Probation Denied or Terminated</b>	<p>You may be sentenced to serve a term of imprisonment in the county jail pursuant to Penal Code § 1170(h) if probation is denied or terminated. Such a sentence will be considered a prior prison term, which may be used against you if future law violations occur.</p>
<b>Mandatory Supervision</b>	<p>If probation is denied or terminated and you are sentenced to a term of imprisonment in the county jail pursuant to Penal Code § 1170(h), the court may require that you serve a portion of your sentence under the supervision of the probation department, even if you do not agree to the conditions of supervision. If you violate the terms or conditions of mandatory supervision you may be returned to custody to serve the remainder of the sentence previously imposed.</p>
<b>If on Probation, Parole, PRCS, or Mandatory Supervision in Another Case</b>	<p>If you are on probation, mandatory supervision, parole, or post release community supervision in another case, your probation, mandatory supervision, parole, or post release community supervision in the other case could be revoked by your plea of guilty or no contest in this case.</p>
<b>Serious Felony/ Three Strikes Law</b>	<p>If any of the crimes are “serious” felonies, they are also ‘strikes’ under the Three Strikes law. If you are pleading to a felony and admitting a prior ‘strike’, you will not be eligible for a grant of probation and your state prison conduct credits will be reduced from a maximum of 50% to a maximum of 20%. If you are later convicted of any felony, depending on the number of prior strikes you have, you may be sentenced to a maximum of life in prison.</p>
<b>Violent felony/ conduct credits</b>	<p>If any of the crimes are “violent” felonies, they are also considered ‘strikes’ under the Three Strikes law. If you are sent to state prison for a violent felony your conduct credits are limited to 15%.</p>
<b>Co-defendants</b>	<p>If you have co-defendants in this case, you agree that you are entering this plea because you think it is the right thing to do for yourself and you are not doing it just to get a benefit for someone else.</p>
<b>No drugs or alcohol</b>	<p>By signing this form, you agree that you are now sober, and that you have not recently consumed any drugs or alcohol that has affected your ability to understand these proceedings.</p>
<b>VC§23593 Advisement</b>	<p>If you enter a guilty or no contest plea to Vehicle Code § 23152, 23153 or 23103/23103.5, you are hereby advised that being under the influence of alcohol or drugs, or both, impairs your ability to safely operate a motor vehicle. Therefore, it is extremely dangerous to human life to drive while under the influence of alcohol or drugs, or both. If you continue to drive while under the influence of alcohol or drugs, or both, and, as a result of that driving, someone is killed, you can be charged with murder.</p>