

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

People vs. [Print 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

Jury Trial: You have the right to a jury trial on the charges which are pending against you.		
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Confrontation: You have the right to confront the witnesses against you in trial: to see, hear and question all witnesses yourself or through your attorney.		
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Subpoena: You have the right to subpoena witnesses for your defense.		
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Testimony: You have the right to testify in your own defense.		
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Self-incrimination: You have the right to remain silent and you cannot be forced to testify if you do not want to do so.		
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Preliminary Hearing: You have the right to a preliminary hearing to determine if there is probable cause to hold you to trial.		
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Registration Requirements: I understand that I will be required to register as: Sex offender (PC §290); Arson (PC§457.1); Street gang (PC§186.30)		
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Penal Code section 1016.5 Advisement: I understand that if I am not a United States citizen, a plea of guilty or no contest to offense(s) listed above “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.”		
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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.)		
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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)		
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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.
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Dated: Signed:	Dated: Signed:
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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 I am a certified interpreter and I have an oath on file. I have translated this form to the defendant in the _____ language. The defendant confirmed he/she understood the contents of the form and he/she then completed the form.

Dated: _____ Signed: _____ Interpreter

Fines and Restitution:

- You may be ordered to pay a restitution fine of no less than \$300.00 and up to \$10,000.00.
- You may be ordered to pay a Criminal Assessment Fee of \$30.00 per count and a Court Operations Fee of \$40.00 per count.
- In some cases you may be required to pay other fines and/or fees.
- You may be required to make restitution to the victim(s) for any losses suffered as a result of the crime(s).

Probation Terms: Depending on the crime, 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, be required to report to the court or the probation department, be subject to search and seizure without probable cause and be required to comply with other conditions as imposed by the court. In some cases you may be required to complete a 52-week batterer's treatment program or other educational programs.

Consequences if You Violate Probation: If you violate probation, (1) you could be required to serve additional jail time or complete additional terms and conditions while remaining on probation or (2) you could have your probation terminated and be required to (a) 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 (b) serve a state prison commitment for up to the maximum term stated on this form.

Local Term of Imprisonment if Probation Denied or Terminated: 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 may be considered a prior prison term, which may be used against you if future law violations occur.

Mandatory Supervision Sentence: 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 as part of your Mandatory Supervision sentence.

Consequence if You Violate Mandatory Supervision: If you violate the terms or conditions of a mandatory supervision sentence you may be returned to custody to serve the remainder of your Penal Code, section 1170(h) sentence previously imposed.

Probation, Parole, PRCS, or Mandatory Supervision in Another Case: If you are on probation, mandatory supervision, parole, or post release community supervision (PRCS) in another case at the time you enter your plea in this case, your probation, mandatory supervision, parole, or post release community supervision in the other case could be revoked as a result of your plea of guilty or no contest in this case.

Three Strikes Law: If you are pleading to a "strike offense," this offense can later be used to increase your sentence for any future felony conviction. If you have one strike at the time a future felony is committed, your prison sentence could be doubled. If you have 2 or more strikes at the time a future felony is committed and that future felony is also a strike, you could receive a life sentence.

Violent/Serious Felony Conduct Credits: If you have admitted a prior strike conviction as part of your plea, your conduct credits will be restricted to 20% when you are placed in prison. If you are pleading to a "violent" felony, your conduct credits will be restricted to 15%.

No Coercion by Co-Defendants: You agree that 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.

Not Under the Influence: By signing this form, I agree I am not currently under the influence of any type of medication or other substance, including alcohol or drugs, that could affect your ability to understand the proceedings or my entry of a plea.

VC§23593 Advisement: 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.

HS§11369 Advisement: If you enter a guilty or no contest plea to Health and Safety Code § 11351, 11351.5, 11352, 11378, 11378.5, 11379, 11379.5, or 11379.6 involving a hard drug, you are hereby advised that it is extremely dangerous and deadly to human life to illicitly manufacture, distribute, sell, furnish, administer, or give away any drugs in any form, including real or counterfeit drugs or pills. You can kill someone by engaging in this conduct. All drugs and counterfeit pills are dangerous to human life. These substances alone, or mixed, kill human beings in very small doses. If you illicitly manufacture, distribute, sell, furnish, administer, or give away any real or counterfeit drugs or pills, and that conduct results in the death of a human being, you could be charged with homicide, up to and including the crime of murder, within the meaning of Section 187 of the Penal Code.

HS§11369 (d) (1) Except as provided in paragraph (2), as used in this section, "hard drug" means a substance listed in Section 11054 or 11055, including a substance containing fentanyl, heroin, cocaine, cocaine base, methamphetamine, or phencyclidine, and the analogs of any of these substances as defined in Sections 11400 and 11401. (2) As used in this section, "hard drug" does not include cannabis, cannabis products, peyote, lysergic acid diethylamide (LSD), other psychedelic drugs, including mescaline and psilocybin (mushrooms), any other substance listed in subdivisions (d) and (e) of Section 11054, or, with the exception of methamphetamine, any other substance listed in subdivision (d) of Section 11055.