

PLEA FORM

County PASSAIC
Prosecutor File Number _____

DEFENDANT'S NAME DEMETRICK WILLIAMS
before Judge CAROSELA

1. List the charges to which you are pleading guilty:

Ind./Acc/Comp.#	Count	Nature of Offense	Degree		Statutory Maximum			
					Time	Fine	VCCB Assmt*	
<u>08-07-0243A</u>		<u>Child Abuse & Neglect</u>	<u>4^o</u>	MAX	<u>18 mos</u>	<u>\$7,500</u>	<u>50.00</u>	
_____	_____	_____	_____	MAX	_____	_____	_____	
_____	_____	_____	_____	MAX	_____	_____	_____	
_____	_____	_____	_____	MAX	_____	_____	_____	
_____	_____	_____	_____	MAX	_____	_____	_____	
Your total exposure as the result of this plea is:					TOTAL	<u>18 mos</u>	<u>\$7,500</u>	<u>50.00</u>

PLEASE CIRCLE APPROPRIATE ANSWER

2. a. Did you commit the offense(s) to which you are pleading guilty? YES NO
- b. Do you understand that before the judge can find you guilty, you will have to tell the judge what you did that makes you guilty of the particular offense(s)? YES NO
3. Do you understand what the charges mean? YES NO
4. Do you understand that by pleading guilty you are giving up certain rights? Among them are?
- a. The right to a jury trial in which the State must prove you guilty beyond a reasonable doubt? YES NO
- b. The right to remain silent? YES NO
- c. The right to confront the witnesses against you? YES NO
5. Do you understand that if you plead guilty:
- a. You will have a criminal record? YES NO
- b. Unless the plea agreement provides otherwise, you could be sentenced to serve the maximum time in confinement, to pay the maximum fine and to pay the maximum Victims of Crime Compensation Board Assessment? YES NO
- c. You must pay a minimum Victims of Crime Compensation Board assessment of \$50 (\$ 100 minimum if you are convicted of a crime of violence) for each count to which you plead guilty? (Penalty is \$30 if offense occurred between January 9, 1986 and December 22, 1991 inclusive. \$25 if offense occurred before January 1, 1986.) YES NO
- d. If the offense occurred on or after February 1, 1993 but was before March 13, 1995, and you are being sentenced to probation or a State correctional facility, you must pay a transaction fee of up to \$1.00 for each occasion when a payment or installment payment is made? If the offense occurred on or after March 13, 1995 and the sentence is to probation, or the sentence otherwise requires payments of financial obligations to the probation division, you must pay a transaction fee of up to \$2.00 for each occasion when a payment or installment payment is made? YES NO

* VICTIMS CRIME COMPENSATION BOARD ASSESSMENT

Defendant's Initials [Signature] page 1 of 3

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WHITE: ORIGINAL-FILE; YELLOW: JUDGE; PINK: PROSECUTOR; GOLD: DEFENDANT

- 5. e. If the offense occurred on or after August 2, 1993 you must pay a \$75 Safe Neighborhood Services Fund assessment for each conviction? [YES] [NO]
- f. If the offense occurred on or after January 5, 1994 and you are being sentenced to probation, you must pay a fee of up to \$25 per month for the term of probation? [YES] [NO]
- g. If the crime occurred on or after January 9, 1997 you must pay a Law Enforcement Officers Training and Equipment Fund penalty of \$30? [YES] [NO]
- h. You will be required to provide a DNA sample, which could be used by law enforcement for the investigation of criminal activity, and pay for the cost of testing? [YES] [NO]
- 6. Do you understand that the court could, in its discretion, impose a minimum time in confinement to be served before you become eligible for parole, which period could be as long as one half of the period of the custodial sentence imposed? [YES] [NO]
- 7. Did you enter a plea of guilty to any charges that require a mandatory period of parole ineligibility or a mandatory extended term? [YES] [NO]
- a. If you are pleading guilty to such a charge, the minimum mandatory period of parole ineligibility is _____ years and _____ months (fill in the number of years/months) and the maximum period of parole ineligibility can be _____ years and _____ months (fill in the number of years/months) and this period cannot be reduced by good time, work, or minimum custody credits.
- 8. Are you pleading guilty to a crime that contains a presumption of imprisonment which means that it is almost certain that you will go to state prison? [YES] [NO]
- 9. Are you presently on probation or parole? [YES] [NO]
- a. Do you realize that a guilty plea may result in a violation of your probation or parole? [YES] [NO] [N/A]
- 10. Are you presently serving a custodial sentence on another charge? [YES] [NO]
- a. Do you understand that a guilty plea may affect your parole eligibility? [YES] [NO] [N/A]
- 11. Do you understand that if you have plead guilty to, or have been found guilty on other charges, or are presently serving a custodial term and the plea agreement is silent on the issue, the court may require that all sentences be made to run consecutively? [YES] [NO] [N/A]

12. List any charges the prosecutor has agreed to recommend for dismissal:

Ind./Acc./ Compl.#	Count	Nature of Offense and Degree
<i>none</i>		

13. Specify any sentence the prosecutor has agreed to recommend:
180 Day County Jail Sentence as a condition of Probation

Defendant's Initials *[Signature]*

14. Has the prosecutor promised that he or she will NOT:

a. Speak at sentencing?

[YES]

[NO]

b. Seek an extended term of confinement?

[YES]

[NO]

c. Seek a stipulation of parole ineligibility?

[YES]

[NO]

15. Are you aware that you must pay restitution if the court finds there is a victim who has suffered a loss and if the court finds that you are able or will be able in the future to pay restitution?

[YES]

[NO]

[N/A]

16. Do you understand that if you are a public office holder or employee, you can be required to forfeit your office or job by virtue of your plea of guilty?

[YES]

[NO]

[N/A]

17. Do you understand that if you are not a United States citizen or national, you may be deported by virtue of your plea of guilty?

[YES]

[NO]

[N/A]

18. Have you discussed with your attorney the legal doctrine of merger?

[YES]

[NO]

[N/A]

19. Are you giving up your right at sentence to argue that there are charges you pleaded guilty to for which you cannot be given a separate sentence?

[YES]

[NO]

[N/A]

20. List any other promises or representations that have been made by you, the prosecutor, your defense attorney, or anyone else as a part of this plea of guilty:

Defendant will never seek employment teaching children.

21. Have any promises other than those mentioned on this form, or any threats, been made in order to cause you to plead guilty?

[YES]

[NO]

22. a. Do you understand that the judge is not bound by any promises or recommendations of the prosecutor and that the judge has the right to reject the plea before sentencing you and the right to impose a more severe sentence?

[YES]

[NO]

b. Do you understand that if the judge decides to impose a more severe sentence than recommended by the prosecutor, that you may take back your plea?

[YES]

[NO]

c. Do you understand that if you are permitted to take back your plea of guilty because of the judge's sentence, that anything you say in furtherance of the guilty plea cannot be used against you at trial?

[YES]

[NO]

23. Are you satisfied with the advice you have received from your lawyer?

[YES]

[NO]

24. Do you have any questions concerning this plea?

[YES]

[NO]

DATE 7/9/08 DEFENDANT [Signature]

DEFENSE ATTORNEY _____

PROSECUTOR [Signature]

[] This plea is the result of the judge's conditional indications of the maximum sentence he or she would impose independent of the prosecutor's recommendation. Accordingly, the "Supplemental Plea Form for Non-Negotiated Pleas" has been completed.

SUPPLEMENTAL PLEA FORM

FOR

NON-NEGOTIATED PLEAS

This form should be filled out only in cases where the defendant is pleading guilty based on the judge's representation as to what the maximum sentence will be.

- List any promises or representations that have been made by the judge as to what your sentence will be:

Restoration - non custodial

- Do you understand that if the judge determines at the time of sentencing that imposing a sentence no greater than that which he or she promised would not serve the interests of justice, then the judge may order your plea be vacated or you will be allowed to withdraw your plea, and your case will proceed to trial.

[YES] [NO]

[Signature]

Date: 9/9/08

DEMERICK WILLIAMS
Defendant

[Signature]
Judge

Approved by:
(For purposes of plea only)

[Signature]

Prosecutor