

IN THE DISTRICT COURT OF THE STATE OF WASHINGTON  
IN AND FOR THE COUNTY OF FRANKLIN

24 mo D/S

(X) STATE OF WASHINGTON  
( ) CITY OF CONNELL

CASE NO. PC 10933

STATEMENT OF DEFENDANT  
ON PLEA OF GUILTY

Jose Antonio Herrera DEFENDANT DATE OF BIRTH 5 / 10 / 87 GRADE COMPLETED 9<sup>th</sup> grade

1. I HAVE BEEN INFORMED AND UNDERSTAND THAT:

(a) I HAVE THE RIGHT TO REPRESENTATION BY A LAWYER, IF I CANNOT AFFORD A LAWYER, ONE WILL BE PROVIDED AT NO EXPENSE TO ME.

MY LAWYER'S NAME IS Jared Hanson

(b) I AM CHARGED WITH THE CRIME (S) OF Animal Cruelty 2nd degree

THE ELEMENTS OF THIS CRIME (S) ARE With criminal negligence inflicts unnecessary pain

2. I UNDERSTAND THAT BY PLEADING GUILTY I AM GIVING UP THE FOLLOWING IMPORTANT RIGHTS:

- (a) THE RIGHT TO A SPEEDY AND PUBLIC TRIAL BY AN IMPARTIAL JURY IN FRANKLIN COUNTY.
- (b) THE RIGHT TO REMAIN SILENT BEFORE AND DURING TRIAL, AND THE RIGHT TO REFUSE TO TESTIFY AGAINST MYSELF.
- (c) THE RIGHT AT TRIAL TO HEAR AND QUESTION THE WITNESSES WHO TESTIFY AGAINST ME.
- (d) THE RIGHT AT TRIAL TO HAVE WITNESSES APPEAR AND TESTIFY FOR ME, AT NO EXPENSE TO ME.
- (e) I AM PRESUMED INNOCENT UNTIL THE CHARGE IS PROVEN BEYOND A REASONABLE DOUBT OR I ENTER A PLEA OF GUILTY.
- (f) THE RIGHT TO APPEAL A DETERMINATION OF GUILT AFTER A TRIAL.

3. I UNDERSTAND THAT:

- (a) THE CRIME (S) WITH WHICH I AM CHARGED CARRIES A MAXIMUM SENTENCE OF 90/364 DAYS IN JAIL AND A \$1000/\$5000 FINE.
- (b) THE CRIME (S) WITH WHICH I AM CHARGED CARRIES A MANDATORY MINIMUM SENTENCE OF 180 DAYS IN JAIL AND \$ 600 FINE.
- (c) THE PLEA OF GUILTY MAY RESULT IN A SUSPENSION OR REVOCATION OF MY DRIVER'S LICENSE BY THE DEPARTMENT OF LICENSING.
- (d) THE JUDGE MAY ORDER ME TO PAY RESTITUTION TO ANY VICTIM, EQUAL TO DOUBLE THEIR LOSS.
- (e) IF I AM NOT A U.S. CITIZEN, THIS GUILTY PLEA MAY RESULT IN DEPORTATION, EXCLUSION FROM ADMISSION TO THE UNITED STATES, OR DENIAL OF NATURALIZATION PURSUANT TO THE LAWS OF THE UNITED STATES.
- (f) IF THIS CRIME IS A SEXUAL OFFENSE, OR A DRUG OFFENSE ASSOCIATED WITH HYPODERMIC NEEDLES, I WILL BE TESTED FOR AIDS.
- (g) THE PROSECUTING AUTHORITY WILL MAKE THE FOLLOWING RECOMMENDATION IN EXCHANGE FOR MY GUILTY PLEA:

JAIL <u>180</u> DAYS	FINE: COUNT 1 <u>50</u>	COSTS:	PROBATION <u>600</u>
<u>180</u> SUSPENDED	COUNT 2 _____		ATTORNEY _____
_____ JAIL/ _____ WORK RELEASE	( ) ALCOHOL/DRUG EVALUATION*		BLOOD/BREATH _____
_____ EHM/ _____ WORK CREW	( ) ALCOHOL INFORMATION SCHOOL		RESTITUTION <u>TAD</u>
_____ CREDIT TIME SERVED	( ) DUI VICTIM'S PANEL		( ) INACTIVE PROBATION _____ (MONTHS)
( ) ANGER MANAGEMENT EVALUATION*	( ) RESTITUTION		( ) FORFEIT FIREARM
( ) ONE YEAR DV PERPETRATOR'S PROGRAM	(X) DEFERRED SENTENCE <u>24m</u>		( ) NO CONTACT WITH VICTIM
( ) IGNITION INTERLOCK/LICENSE SUSPENSION AS DEPARTMENT OF LICENSING REQUIRES/APPLY FOR IGNITION INTERLOCK LICENSE	(X) <u>will not possess pets for duration of probation</u>		

THE JUDGE IS NOT REQUIRED TO FOLLOW THE PROSECUTOR'S RECOMMENDATION AND MAY SENTENCE UP TO THE MAXIMUM AUTHORIZED BY LAW.

4. DEFENDANT'S STATEMENT: I PLEAD GUILTY TO THE CRIME (S) OF Animal Cruelty 2nd

I AM GUILTY OF THE CRIME (S) BECAUSE ON THE DATE OF 9/10/22, IN FRANKLIN COUNTY, WASHINGTON, I attempted to put down my dog after on two different occasions it attacked my stock. I was negligent in my efforts and it caused unnecessary pain to the dog.

I HAVE RECEIVED A COPY OF THE COMPLAINT OR CITATION. I MAKE THIS PLEA FREELY AND VOLUNTARILY AND ACKNOWLEDGE I HAVE THE ABILITY TO PAY AND SHALL PAY FINES, COSTS AND ASSESSMENTS. NO ONE HAS THREATENED HARM TO ME OR TO ANY OTHER PERSON TO OBTAIN THIS PLEA OR MADE ANY PROMISES EXCEPT AS SET FORTH IN THIS STATEMENT. MY LAWYER EXPLAINED THIS STATEMENT TO ME. I UNDERSTAND IT AND HAVE NO QUESTIONS TO ASK THE JUDGE. I HAVE RECEIVED A COPY OF THIS STATEMENT.

I HAVE DISCUSSED THIS STATEMENT WITH THE DEFENDANT AND BELIEVE THE DEFENDANT UNDERSTANDS IT.

Jared Hanson 47591 DEFENDANT'S LAWYER/WSBA#

Jose Herrera DEFENDANT

[Signature] PROSECUTING ATTORNEY/WSBA#

I AM A CERTIFIED TRANSLATOR IN THE LANGUAGE OF THE DEFENDANT. I HAVE TRANSLATED THIS STATEMENT FOR THE DEFENDANT, AND THE DEFENDANT HAS ACKNOWLEDGED UNDERSTANDING OF THIS STATEMENT.

THIS STATEMENT HAS BEEN READ BY OR TO THE DEFENDANT. THERE IS A FACTUAL BASIS FOR THE PLEA. I FIND THE DEFENDANT'S PLEA TO BE KNOWING, INTELLIGENTLY AND VOLUNTARILY MADE. THE DEFENDANT UNDERSTANDS THE CHARGES AND THE CONSEQUENCE OF THE PLEA. THE DEFENDANT IS GUILTY AS CHARGED.

[Signature] INTERPRETER

[Signature] JUDGE/PRO-TEM

DATE 10 / 1 / 23

FRANKLIN COUNTY DISTRICT COURT  
PUBLIC SAFETY BUILDING  
1016 N. 4<sup>TH</sup> AVE Bldg B-218  
PASCO, WA 99301

( X ) State of Washington  
( ) City of Connell  
Plaintiff,

Case No. PC10973

JUDGMENT AND SENTENCE

vs.

- 1) Original Connell 2nd
- 2) \_\_\_\_\_

Herre, Jose  
Defendant

IT IS ORDERED, ADJUDGED AND DECREED:

( ) For the crime(s) in count(s) \_\_\_\_\_  
domestic violence was pled and proved

JAIL The defendant is sentenced to serve 100/ days in jail/with 180/ day suspended a period of 24 months:  
This may be satisfied by serving on:

- ( ) The Franklin County Work Crew subject to approval of the Franklin County Probation Department.
- ( ) Work release subject to approval of the Franklin County Correctional Facility.
- ( ) Concurrent with cause no: \_\_\_\_\_ ( ) Consecutive with cause no: \_\_\_\_\_
- ( ) Electronic Home Monitoring. ( ) Scram
- ( ) Defendant is given credit for \_\_\_\_\_ days. ( X ) Beginning within 30 days.

The Court finds the Defendant has the ability to pay and shall pay the following fines, costs and assessments:

Count 1 50 Probation 600 Jail \_\_\_\_\_  
Count 2 \_\_\_\_\_ Attorney \_\_\_\_\_ Conviction BAC \_\_\_\_\_  
Restitution TBD Breath Test fee \_\_\_\_\_ Other \_\_\_\_\_

OTHER CONDITIONS OF SENTENCE: ( X ) SEE BACK OF THIS DOCUMENT FOR OTHER CONDITIONS.

- ( ) Commit a firearm violation as described on back of this form.
- ( X ) Pay restitution per the order of restitution.
- ( X ) Pay fines and costs. Have no violations of criminal or traffic law during period of probation.
- ( ) Not operate any motor vehicle that is not equipped with a functioning ignition interlock breath alcohol device.
- ( ) Not drive without a valid drivers license and liability insurance.
- ( ) Attend DUI victims panel with completion 60 days after release from custody.
- ( ) Have an alcohol/drug/anger management evaluation & follow recommended program/Attend Alcohol Information School
- ( ) No contact, associate with, or go upon the property of;

Restitution Hearing June 29, 2023 @ 2:00 p.m.  
Name \_\_\_\_\_ Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

- ( X ) Deferred Sentence.
- ( ) Terminate probation upon payment of fines/costs and proof of valid license and insurance.
- ( X ) Other Do not pay fine during the period of probation

FAILURE TO COMPLY WITH THIS ORDER MAY RESULT IN ADDITIONAL JAIL TIME.

Done in open court this 1 day of June 2023.

[Signature] Interpreter [Signature] Defendant [Signature] Judge/Court Commissioner