



Superior Court of Washington  
County of Kitsap

FILED  
KITSAP COUNTY CLERK

AUG 10 10 25 AM '99

STATE OF WASHINGTON,

Plaintiff,

NO. 99-1-00840-3

vs.

STATEMENT OF DEFENDANT ON PLEA OF GUILTY

DEAN C. LOGAN

BY [Signature] DEPUTY (STTDFG)

William A Trick  
Defendant.

1. My true name is: William A. Trick

2. My age is: 27

3. I went through the 12 grade.

4. I HAVE BEEN INFORMED AND FULLY UNDERSTAND THAT:

(a) I have the right to representation by a lawyer and that if I cannot afford to pay for a lawyer, one will be provided at no expense to me. My lawyer's name is T. Kelly

(b) I am charged with the crime of Child Molestation First Degree (2 sts.)  
The elements of this crime are See "Information" on file

5. I HAVE BEEN INFORMED AND FULLY UNDERSTAND THAT I HAVE THE FOLLOWING IMPORTANT RIGHTS, AND I GIVE THEM ALL UP BY PLEADING GUILTY:

- (a) The right to a speedy and public trial by an impartial jury in the county where the crime is alleged to have been committed;
- (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 testify for me. These witnesses can be made to appear 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.

6. IN CONSIDERING THE CONSEQUENCES OF MY GUILTY PLEA, I UNDERSTAND THAT:

(a) (i) The crime with which I am charged carries a maximum sentence of Life years imprisonment and a \$50,000 fine. The standard range is from 67 months to 89 months confinement, based on the prosecuting attorney's understanding of my criminal history.

(ii) This offense is a most serious offense as defined by RCW 9.94A.030(21), and if I have at least two prior convictions for most serious offenses, whether in this state, in federal court, or elsewhere, the crime for which I am charged carries a mandatory sentence of life imprisonment without the possibility of parole. In addition, if this offense is (1) rape in the first degree, rape of a child in the first degree, rape in the second degree, rape of a child in the second degree, indecent liberties by forcible compulsion, or child molestation in the first degree, or (2) murder in the first degree, murder in the second degree, homicide by abuse, kidnaping in the first degree, kidnaping in the second degree, assault in the first degree, assault in the second degree, assault of a child in the first degree, or burglary in the first degree, with a finding of sexual motivation, or (3) any attempt to commit any of the crimes listed in this sentence, and I have at least one prior conviction for one of these listed crimes in this state, in federal court, or elsewhere, the crime for which I am

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charged carries a mandatory sentence of life imprisonment without the possibility of parole. [If not applicable, this paragraph should be stricken and initialed by the defendant and the judge.]

- (b) The standard sentence range is based on the crime charged and my criminal history. Criminal history includes prior convictions, whether in this state, in federal court, or elsewhere.
- (i) For crimes committed prior to July 1, 1997, criminal history always includes juvenile convictions for sex offenses and serious violent offenses. Criminal history also includes convictions in juvenile court for other felonies or serious traffic offenses that were committed when I was 15 years of age or older. Juvenile convictions, except those for class A felonies, serious violent offenses or sex offenses, count only if I was less than 23 years old when I committed the crime to which I am now pleading guilty.
- (ii) For crimes committed after July 1, 1997, criminal history always includes all juvenile adjudications or convictions.
- (c) The prosecuting attorney's statement of my criminal history is attached to this agreement. Unless I have attached a different statement, I agree that the prosecuting attorney's statement is correct and complete. If I have attached my own statement, I assert that it is correct and complete. If I am convicted of any additional crimes between now and the time I am sentenced, I am obligated to tell the sentencing judge about those convictions.
- (d) If I am convicted of any new crimes before sentencing, or if any additional criminal history is discovered, both the standard sentence range and the prosecuting attorney's recommendation may increase. Even so, my plea of guilty to this charge is binding on me. I cannot change my mind if additional criminal history is discovered even though the standard sentencing range and the prosecuting attorney's recommendation increase or a mandatory sentence of life imprisonment without the possibility of parole is required by law.
- (e) In addition to sentencing me to confinement, the judge will order me to pay \$ 500 as a victim's compensation fund assessment. If this crime resulted in injury to any person or damage to or loss of property, the judge will order me to make restitution, unless extraordinary circumstances exist which make restitution inappropriate. The judge may also order that I pay a fine, court costs, and attorney fees.
- (f) In addition to sentencing me to confinement, the judge will order me to serve at least one year of community supervision if the total period of confinement ordered is less than 12 months and community custody or community placement is not required due to the nature of the crime. If this crime is a drug offense, assault in the second degree, assault of a child in the second degree, or any crime against a person in which a specific finding was made that I or an accomplice was armed with a deadly weapon, the judge will order me to serve at least one year of community placement. If this crime is a vehicular homicide, vehicular assault, or a serious violent offense, the judge will order me to serve at least two years of community placement. If this crime is a sex offense, the court will order me to serve at least three years of community custody. During the period of community placement, community custody, or community supervision, I will be under the supervision of the Department of Corrections, and I will have restrictions placed on my activities. My failure to comply with these conditions will render me ineligible for general assistance. [If not applicable, this paragraph should be stricken and initialed by the defendant and the judge.]
- (g) The prosecuting attorney will make the following recommendation to the judge: \_\_\_\_\_  
See Plea Agreement
- (h) The judge does not have to follow anyone's recommendation as to sentence. The judge must impose a sentence within the standard range unless the judge finds substantial and compelling reasons not to do so. If the judge goes outside the standard range, either I or the State can appeal that sentence. If the sentence is within the standard range, no one can appeal the sentence.
- (i) The crime of \_\_\_\_\_ has a mandatory minimum sentence of at least \_\_\_\_\_ years of total confinement. The law does not allow any reduction of this sentence. This mandatory

minimum sentence is ~~the same as the mandatory sentence of life imprisonment without the possibility of parole described in paragraph 6(a)(ii).~~ [If not applicable, this paragraph should be stricken and initialed by the defendant and the judge.]

- (j) I understand that the offense(s) I am pleading guilty to include a deadly weapon or firearm enhancement. ~~Deadly weapon or firearm enhancements are mandatory, they must be served in total confinement and they must run consecutively to any other sentence and to any other deadly weapon or firearm enhancements.~~ [If not applicable, this paragraph should be stricken and initialed by the defendant and the judge.]
- (k) I am being sentenced for two or more violent offenses arising from separate and distinct criminal conduct and the sentences imposed on counts \_\_\_\_\_ and \_\_\_\_\_ will run consecutively unless the judge finds substantial and compelling reasons to do otherwise. ~~[If not applicable, this paragraph should be stricken and initialed by the defendant and the judge.]~~
- (l) The judge may sentence me as a first time offender instead of giving a sentence within the standard range if I qualify under ~~RCW 9.94A.030(22).~~ This sentence could include as much as 90 days' confinement plus all of the conditions described in paragraph (e). Additionally, the judge could require me to undergo treatment, to devote time to a specific occupation, and to pursue a prescribed course of study or occupational training. [If not applicable, this paragraph should be stricken and initialed by the defendant and the judge.]
- (m) The judge may suspend execution of the standard range term of confinement under the special sex offender sentencing alternative (SSOSA) if I qualify under RCW 9.94A.120(8). If the judge suspends execution of the standard range term of confinement, I will be placed on community custody for at the length of the suspended sentence or three years, which ever is greater, I will be ordered to serve up to 180 days of total confinement, I will be ordered to participate in sex offender treatment, and I will be subject to all of the conditions described in paragraph (e). Additionally, the judge could require me to devote time to a specific occupation, and to pursue a prescribed course of study or occupational training. If a violation of the sentence occurs during community custody, the judge may revoke the suspended sentence. [If not applicable, this paragraph should be stricken and initialed by the defendant and the judge.]
- (n) The judge may sentence me under the special drug offender sentencing alternative (DOSA) if I qualify under RCW 9.94A.120(6). This sentence could include a period of total confinement in a state facility for one-half of the midpoint of the standard range plus all of the conditions described in paragraph (e). During confinement, I will be required to undergo a comprehensive substance abuse assessment and to participate in treatment. The judge will also impose ~~one year of community custody that must include appropriate outpatient treatment, a condition not to use illegal controlled substances,~~ and requirement to submit to urinalysis or other testing to monitor that status. Additionally, the judge could require me to devote time to a specific employment or training, to stay out of certain areas, and to pay thirty dollars per month to offset the cost of monitoring. [If not applicable, this paragraph should be stricken and initialed by the defendant and the judge]
- (o) ~~If I have a driver's license, I must now surrender it to the judge.~~ [If not applicable, this paragraph should be stricken and initialed by the defendant and the judge.]
- (p) ~~This plea of guilty will result in the suspension of public assistance.~~ [If not applicable, this paragraph should be stricken and initialed by the defendant and the judge.]
- (q) If this crime involves a sexual offense, prostitution, or a drug offense associated with hypodermic needles, I will be required to undergo testing for the human immunodeficiency (AIDS) virus. [If not applicable, this paragraph should be stricken and initialed by the defendant and the judge.]
- (r) If I am not a citizen of the United States, a plea of guilty to an offense punishable as a crime under state law is grounds for ~~deportation, exclusion from admission to the United States, or denial of naturalization pursuant to the laws of the United States.~~

- (s) If this crime involves a ~~sex~~ offense or a violent offense, I will be required to provide a sample of my blood for purposes of DNA identification analysis. [If not applicable, ~~this~~ paragraph should be stricken and initialed by the defendant and the judge.]
- (t) Because this crime involves a sex offense or a kidnaping offense, I will be required to register with the sheriff of the county of the state of Washington where I reside. If I am not a resident of Washington, but I am a student in Washington or I am employed in Washington or I carry on a vocation in Washington, I must register with the sheriff of the county of my school, placement of employment, or vocation. I must register immediately upon being sentenced unless I am in custody, in which case I must register at the time of my release with the person designated by the agency that has me in custody and I must also register within 24 hours of my release with the sheriff of the county of the state of Washington where I will be residing, or if not residing in the state of Washington, where I am a student, where I am employed or carry on a vocation.

If I leave this state following my sentencing or release from custody but later move back to Washington, I must register within 30 days after moving to this state or within 24 hours after doing so if I am under the jurisdiction of this state's Department of Corrections. If I leave this state following my sentencing or release from custody, but later, while not a resident of Washington, I become employed in Washington, carry out a vocation in Washington, or attend school in Washington, I must register within 30 days after attending school in this state, or becoming employed or carrying out a vocation in this state, or within 24 hours after doing so if I am under the jurisdiction of this state's Department of Corrections.

If I change my residence within a county, I must send written notice of my change of residence to the sheriff within 72 hours of moving. If I change my residence to a new county within this state, I must send written notice of the change of address at least fourteen days before moving to the county sheriff in the new county of residence, I must register with the sheriff of the new county within 24 hours of moving and I must also give written notice of my change of address to the sheriff of the county where last registered within 10 days of moving. If I move out of Washington state, I must send written notice within 10 days of moving to the new state or foreign country to the county sheriff with whom the person last registered in Washington State. [If not applicable, this paragraph should be stricken and initialed by the defendant and the judge]

If I am a resident of Washington and I am admitted to a public or private institution of higher education, I shall, within 10 days of enrolling or by the first business day after arriving at the institution, whichever is earlier, notify the sheriff of the county of my residence of my intent to attend the institution.

If I move out of Washington state, I must send written notice within 10 days of moving to the new state or foreign country to the county sheriff with whom I last registered in Washington State. [If not applicable, this paragraph should be stricken and initialed by the defendant and the judge.]

- (u) I understand that I may not possess, own, or have under my control any firearm unless my right to do so is restored by a court of record and that I must immediately surrender any concealed pistol license.
- (v) ~~If this crime involves the manufacture, delivery, or possession with the intent to deliver Methamphetamine or Amphetamine, a mandatory methamphetamine clean-up fine of \$3,000.00 will be assessed.~~
- (w) ~~If this crime involves the offense of vehicular homicide while under the influence of intoxicating liquor or any drug, as defined by RCW 46.61.502, committed on or after January 1, 1999, an additional two years shall be added to the presumptive sentence for vehicular homicide for each prior offense as defined in RCW 46.61.5055(8).~~
- (x) I understand that the offenses I am pleading guilty to include both a ~~conviction under RCW 9.41.040 for unlawful possession of a firearm in the first or second degree and one or more convictions for the felony crimes of theft of a firearm or possession of a stolen firearm.~~ The sentences imposed for these crimes shall be served consecutively to each other. A consecutive sentence will also be imposed for each firearm unlawfully possessed.

7. I plead guilty to the crime of Child Molester 1<sup>st</sup> (2 cts.) as charged in the information. I have received a copy of that information.

8. I make this plea freely and voluntarily.

9. No one has threatened harm of any kind to me or to any other person to cause me to make this plea.

10. No person has made promises of any kind to cause me to enter this plea except as set forth in this statement.

11. The judge has asked me to state briefly in my own words what I did that makes me guilty of this crime. This is my statement:

On 4/3/99, in Kitsap County, Washington, I had sexual contact with two 7-year-old children (D.O.B. 6/13/91) + was not married to either.

12. My lawyer has explained to me, and we have fully discussed, all of the above paragraphs. I understand them all. I have been given a copy of this "Statement of Defendant on Plea of Guilty." I have no further questions to ask the judge.

W. B. Trish  
Defendant

I have read and discussed this statement with the defendant and believe that the defendant is competent and fully understands the statement.

P. Kelly  
Defendant's Lawyer

W. H. Z.  
Prosecuting Attorney

The foregoing statement was signed by the defendant in open court in the presence of the defendant's lawyer and the undersigned judge. The defendant asserted that [check appropriate box]:

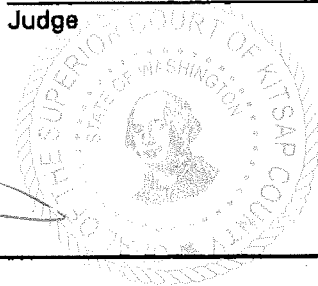
- (a) The defendant had previously read the entire statement above and that the defendant understood it in full; or
- (b) The defendant's lawyer had previously read to him or her the entire statement above and that the defendant understood it in full; or
- \* (c) An interpreter had previously read to the defendant the entire statement above and that the defendant understood it in full.

I find the defendant's plea of guilty to be knowingly, intelligently and voluntarily made. Defendant understands the charges and the consequences of the plea. There is a factual basis for the plea. The defendant is guilty as charged.

Dated this 18 day of August, 19 99.

STATE OF WASHINGTON }  
COUNTY OF KITSAP }  
I, DAVID W. PETERSON, Clerk of the above-entitled County do hereby certify that the foregoing instrument is a true and exact copy of the original in my office. Court File  
in witness whereof, I hereunto set my hand and the Seal of said Court this 20 day of August, 19 99.  
DAVID W. PETERSON COUNTY CLERK

[Signature]  
Judge



BY: [Signature] Deputy