

COMMONWEALTH OF PENNSYLVANIA

: IN THE COURT OF COMMON PLEAS
: DAUPHIN COUNTY, PENNSYLVANIA

vs.

NO.: CP-22-CR-_____ - _____

VETERANS' COURT

GUILTY PLEA COLLOQUY

- 1) I voluntarily request entry into Dauphin County's Veterans' Treatment Court Program. I understand that entry into the INCENTIVE or STANDARD TRACK requires that I plead guilty to my criminal charges. Election of this program also requires the waiver of other important rights.
- 2) I agree to submit to and complete a diagnostic evaluation and treatment program dealing with my substance abuse problem and/or mental health issues as ordered by the Court. I further authorize the Veteran's Affairs Medical Center to release my treatment information to the Court. Such information will not, however, be used by the District Attorney in any subsequent criminal proceeding. In addition, I understand that any statements made during Veterans' Court sessions will not be used against me at any subsequent criminal proceedings.
- 3) If I do not successfully complete the Veterans' Court program or comply with the conditions of this agreement, a hearing will be scheduled and may result in (1) a modification of my treatment plan; or (2) termination from the program resulting in a new sentencing hearing.
- 4) I understand that I am entering a guilty plea to the following offenses, which carry standard range minimum sentences based on my prior record score as follows:

<u>OFFENSE(S)</u>	<u>PRS</u>	<u>OGS</u>	<u>Standard Range</u>	<u>Max. Jail</u>	<u>Max. Fine</u>
_____	_____	_____	_____	_____	\$ _____
_____	_____	_____	_____	_____	\$ _____
_____	_____	_____	_____	_____	\$ _____
_____	_____	_____	_____	_____	\$ _____
_____	_____	_____	_____	_____	\$ _____
_____	_____	_____	_____	_____	\$ _____

Initial _____

5) Print your full name. _____

6) Age. _____

7) How far go in school. _____

8) Can you read, write and understand English? _____

9) By pleading guilty and agreeing to enter the Veterans' Treatment Court Program, I understand that I am giving up certain Constitutional rights:

- I. A jury trial. Twelve citizens of Dauphin County would listen to the facts, and based on the evidence, decided whether you are guilty or not guilty. Before convicted, twelve jurors must all agree that you are guilty beyond a reasonable doubt as to each and every element of the crimes charged.
- II. A non-jury trial. Judge would sit in the place of the jury, and you could not be convicted unless the judge was convinced of your guilt beyond a reasonable doubt.
- III. To confront and cross-examine Commonwealth witnesses;
- IV. To file pre and post-trial motions;
- V. To raise any legal or factual defense to the current criminal charges; and
- VI. Upon pleading guilty, I understand my appeal rights are severely limited to three particular areas- the voluntariness of my guilty plea, the jurisdiction of the Court to hear the plea, and the legality of the sentence imposed.

Do you understand all of these rights that you give up? ☐ _____

Initial _____

- 10) You have been charged with the crime or crimes as outlined on Page 1 of this colloquy;
- a. Do you understand the nature of the charges against you? ☐ _____
 - b. Do you understand the maximum penalties? ☐ _____
- 11) Have you discussed the case and the elements of the crimes charges with your attorney? ☐ _____
- 12) Are you satisfied with his/her representation? ☐ _____
- 13) Do you understand that any aspect of the sentence not covered by any plea agreement is entirely within the judge's discretion? ☐ _____
- 14) Do you understand that the judge is not bound by the terms of any plea agreement (if there is one) unless the judge accepts the agreement? ☐ _____
- 15) If you receive a sentence of probation or intermediate punishment (IP) and you violate any of the conditions of your sentence- including those special conditions of the Veterans' Court program, you would be subject to revocation of your supervision. In that event, the judge could resentence you to any lawful sentence within the statutory maximums as outlines on Page 1. In other words, the sentencing guidelines for your charges do not apply to revocation resentencing. Do you understand? ☐ _____
- 16) Have any threats or promises been made to you (other than your participation in Veterans' Treatment Court) to enter your plea of guilty? ☐ _____
- 17) Are you satisfied that your plea is **voluntary** and in your best interest? ☐ _____
- 18) Do you admit to the charges? ☐ _____
- 19) How do you wish to plead? _____

I affirm that I have read the above document in its entirety and I understand its full meaning, and I wish to enter a plea of guilty to the offense or offenses specified.

Initial _____

I also affirm that my answers are true and correct with the understanding that any false statements or answers herein are made subject to the penalties of §4904 of the Crimes Code (18 Pa.C.S. §4904) relating to unsworn falsifications to authorities.

Date: _____

Defendant: _____

I, _____, Esquire, Attorney for

_____, state that I have advised my client of the contents and meaning of the document and each of the elements of the crimes charged; that it is my belief that he/she comprehends and understands what is set forth above; and that the defendant understands what he/she is doing by pleading guilty.

Attorney for Defendant