

**ALFORD PLEA**

\_\_\_\_\_  
Judge

\_\_\_\_\_  
Date

**THE STATE OF OHIO, HAMILTON COUNTY  
COURT OF COMMON PLEAS**

THE STATE OF OHIO,  
Plaintiff

: Case Number \_\_\_\_\_

:  
: Judge Wende C. Cross

-vs-

:  
: **ENTRY WITHDRAWING PLEA OF  
NOT GUILTY AND ENTERING AN  
ALFORD PLEA**

\_\_\_\_\_,  
Defendant

I, \_\_\_\_\_, the defendant in the above cause, hereby freely and voluntarily withdraw my former plea of NOT GUILTY and enter an Alford plea of guilty pursuant to *North Carolina v. Alford*, 400 U.S. 25 (1970), to the offense(s) of:

Count Number	Name of Offense/ O.R.C. Section	Degree	Potential Sentence Range (Years/Months)	Mandatory Prison Term	Maximum Fine (Amount)	Amount of P.R.C. may/shall
					\$	
					\$	
					\$	
					\$	
					\$	
					\$	

I understand and acknowledge that I have agreed with the prosecution to recommend the following sentence to the Court, to wit: \_\_\_\_\_  
\_\_\_\_\_. Initial \_\_\_\_\_

I understand the maximum penalty as set out above, and any mandatory prison term during which I am NOT eligible for judicial release. I understand the maximum fine possible, of which \$ \_\_\_\_\_ is mandatory. I understand that restitution, other financial costs and driver's license suspension are possible in my case. If I am currently on felony probation or parole, this plea may result in revocation proceedings and any new sentence could be imposed consecutively.

I understand that I may be eligible to earn days of credit under the circumstances set forth in Section 2967.193 of the Ohio Revised Code. I further understand that such days of credit are not automatic, but must be earned in the manner specified in that section. After release from the Department of Corrections, I understand that I shall be supervised on post-release control for each offense that is one of the following: any felony sex offense = 5 years; non-sex F1 offense = two to five years; F2 = eighteen months to three (3) years; F3 offense where I caused or threatened physical harm to a person = one to three years; and I may be supervised for each F4 or F5 offense, and each F3 offense which does not involve physical harm or threatened physical harm to a person, I may be supervised on post-release control for up to two years as determined by the parole board.

The parole board could return me to prison for up to nine (9) months for each violation of those conditions, for a total of 50% of my stated term. If I commit a new felony while on post-release control, I may be punished both for the violation of post-release control and the new offense. At sentencing for the new felony, I may then receive a prison term for the violation of post-release control of up to the remaining period of post-release control or one (1) year, whichever is greater. A prison term imposed for the violation shall be served consecutively to any prison term imposed for the new felony.

If I am granted community control at any point in my sentence and if I violate any of the conditions imposed, I may be given a longer period under court control, greater restrictions, or a prison term for the maximum term. Community control may last five (5) years.

I understand the nature of these charges and the possible defenses I might have. I am satisfied with my attorney's advice, counsel and competence. I am not under the influence of drugs or alcohol at this time. I have not been forced or threatened in any way to cause me to sign and offer this plea.

I understand by entering a plea of guilty pursuant to *North Carolina v. Alford* that I give up my constitutional rights to a jury trial, to confront witnesses against me, to have subpoenaed witnesses in my favor, and to require the state to prove my guilt beyond a reasonable doubt at a trial at which I cannot be compelled to testify against myself. In addition to waiving my constitutional rights described above, I also waive any rights I may have to submit to a jury any fact that is necessary to support a sentence exceeding the maximum authorized by the facts established by my guilty plea or admitted by me and I agree to allow the judge to determine such facts, if any, at the sentencing hearing.

I understand that my plea of guilty pursuant to *North Carolina v. Alford* is not an admission of my guilt of the charge(s). I know the judge may either sentence me today or refer my case for a pre-sentence report. I understand my right to appeal a maximum sentence, my other limited appellate rights, and that any appeal must be filed within 30 days of my sentence.

I understand that the trial judge may, in addition to or independent of all other penalties provided by law or by ordinance, suspend or revoke my driver's license or commercial driver's license or permit or nonresident operating privilege for a period of not less than six (6) months or more than five (5) years.

I understand that if I am sentenced to serve time in prison, jail, or a community-based correctional or detention facility, I will be required to submit a DNA specimen that will be collected at the prison, jail, correctional or detention facility. I also understand that if I do not submit the required specimen at the

time of my intake processing at the prison, jail, correctional or detention facility, I will be required to submit a DNA specimen prior to my release. I further understand that if my sentence includes any period of probation or community control, or if I am at any time on parole, transitional control or post-release control, I will be required to submit a DNA specimen to the probation department, adult parole authority, or other authority as designated by law. I understand that my failure to submit to the DNA specimen collection procedure will subject me to arrest and punishment for violating this condition of my probation, community control, parole, transitional control or post-release control.

I am \_\_\_\_\_ am not \_\_\_\_\_ (initial) a citizen of the United States of America. I understand that if I am not a citizen of the United States, a conviction of the offense(s) to which I am pleading guilty may have the consequence of deportation, exclusion from admission to the United States, or denial of naturalization pursuant to the laws of the United States.

I have read this form, as well as any attached forms, and I knowingly, voluntarily and intelligently enter this guilty plea.

\_\_\_\_\_  
Signature of Defendant

I have explained to the defendant prior to his/her signing this plea, the charge(s) in the indictment or information, the penalties therefor and his/her constitutional rights in this case. I represent that, in my opinion, the defendant is competent to enter this plea and now does so knowingly, intelligently and voluntarily.

(If applicable) Dismiss Counts: \_\_\_\_\_

\_\_\_\_\_  
Attorney for Defendant

\_\_\_\_\_  
Assistant Prosecuting Attorney