

<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF SONOMA</b>		<i>For Court Use Only</i>	
Plaintiff: <b>PEOPLE OF THE STATE OF CALIFORNIA</b>			
Defendant: Date of Birth:			
<b>ADDENDUM TO MISDEMEANOR ADVISEMENT – WET RECKLESS (Vehicle Code section 23103(a))</b>		Case Number(s)	Department
<b>INSTRUCTIONS</b>			
<i>Initial the box for each applicable item only if you understand it, and sign and date the form. If you have questions about your case, the possible sentences, or the information on this form, ask your attorney or the judge. Be aware the judge may not give you legal advice.</i>			

As the defendant in the above-entitled case, I personally declare the following:

- 1. My name and date of birth as listed above are complete, true, and correct.
- 2. I understand that being under the influence of alcohol or drugs, or both, impairs my ability to safely operate a motor vehicle, and it is extremely dangerous to human life to drive while under the influence of alcohol or drugs, or both. If I continue to drive while under the influence of alcohol or drugs, or both, and as a result of my driving, someone is killed, I can be charged with murder.
- 3. I understand that I am charged with a violation of Vehicle Code § 23152 but that the prosecution has agreed to reduce the offense to a violation of Vehicle Code § 23103, per Vehicle Code § 23103.5, commonly referred to as a wet reckless, for the reasons delineated on the second page of this form.
- 4. I understand that the punishment for a wet reckless when probation is granted is zero to ninety days in jail, or up to a \$1000.00 fine, or both. The Court will also order me to attend a Drinking Driver Program unless there are compelling circumstances not to do so, and states this order and the reasons for it on the record. If probation is not granted, the punishment shall be five to ninety days in jail, or a \$145.00 to \$1,000.00 fine, or both. I further understand when the Court imposes a fine, in addition to the fine, the Court must add assessments which will significantly increase the amount I pay. I will also be ordered to make any restitution and to pay a restitution fine of \$150.00 to \$1000.00 unless the Court finds compelling and extraordinary reasons not to do so.
- 5. I understand that as a consequence of my plea, in the event I am charged with a violation of a DUI under Vehicle Code § 23152 in the next ten years, this conviction shall be charged as a prior DUI offense under Vehicle Code § 23152. Therefore, if I am convicted of a DUI offense in the next ten years, my punishment shall be determined as though the conviction is in fact a second offense DUI conviction.
- 6. I understand that the punishment for a second offense DUI with three to five years' probation is a jail term of either: (a) 10 days to one year, or (b) 96-hours to one year; a \$390.00 to \$1,000.00 fine, and completion of an 18-month (or 30-month) Drinking Driver Program. The DMV will impose a two-year driver's license suspension. The punishment without probation is ninety days to one year in jail and a \$390.00 to \$1000.00 fine. The DMV will impose a two-year driver's license suspension.
- 7. I understand that the DMV may suspend or revoke my driver's license under a civil procedure which is separate from this criminal action. I understand that the DMV's action, if any, will be in addition to the Court's sentence and that I must obey it. I further understand that the DMV may require me to provide them with proof of insurance, commonly referred to as a SR22, to reinstate my driving privilege, and if required I must maintain the SR22 for three years.
- 8. I also understand that the DMV may impose additional restrictions, suspensions, and/or revocations not delineated in this plea form and that I am obligated to follow the restrictions, suspensions, and/or revocations imposed by the DMV.
- 9. I understand that a reckless driving conviction is a two-point offense on my driving record.

**I declare that the initials that appear above are my own and that I have read this form in its entirety and understood each statement that I have initialed.**

Date: \_\_\_\_\_ Signature: \_\_\_\_\_

**Certificate of Interpreter**

I declare that I translated the entire contents of this form and on any addendums from English to \_\_\_\_\_ in the presence of and directly to the defendant in this case and that the defendant wrote on this document in my presence.

Date: \_\_\_\_\_ Signature: \_\_\_\_\_

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**PROSECUTION'S STATEMENT AND OFFER OF PROOF**

1. The consumption of \_\_\_ alcohol and/or \_\_\_ other intoxicant/drug(s) \_\_\_\_\_ was involved in the offense charged in this case. The facts which show this are as follows:

2. The reasons for the reduction of charges in this case are as follows:

Proof Problems       Reduction is in the interests of justice       Other: \_\_\_\_\_

The facts supporting this conclusion are:

3. The prosecution therefore requests/concurs in this reduction of charges:

Date: \_\_\_\_\_ Signature: \_\_\_\_\_