

IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT OF
THE STATE OF IDAHO, IN AND FOR THE COUNTY OF KOOTENAI

STATE OF IDAHO
Plaintiff,

v.

Defendant.

Case No. CR _____

Notification of Penalties for Subsequent
Violation of Domestic Assault or Battery
I.C. § 18-918

NOTICE: If you plead guilty to or are found guilty of domestic assault and/or battery, including withheld judgments, the penalties will be as follows:

1. A FIRST DOMESTIC ASSAULT/BATTERY CONVICTION, whether by plea or if found guilty, is a misdemeanor, and you may be jailed for up to six months, fined up to \$1,000, or both.
2. A SECOND DOMESTIC ASSAULT/BATTERY CONVICTION, whether by plea or if found guilty, within 10 years of the first conviction is a misdemeanor, notwithstanding the form of judgment or withheld judgment, and you may be jailed for up to one year, fined up to \$2,000, or both.
3. A THIRD DOMESTIC ASSAULT/BATTERY CONVICTION, whether by plea or if found guilty, within 15 years of the first conviction is a FELONY, and you may be imprisoned for up to five years, fined up to \$5,000, or both.

The maximum penalties listed above shall be doubled where the act of domestic assault or battery took place in the presence of a child.

In addition to any felony penalties set forth above, the court may also impose an additional fine not to exceed \$5,000. I.C. § 19-5307. This additional fine will operate as a civil judgment against you and will be entered on behalf of the victim.

Notification of Rights

If you are convicted of a misdemeanor crime involving violence where you are or were a spouse, intimate partner, parent, or guardian of the victim, or are or were involved in another, similar relationship with the victim, it may be unlawful for you to possess or purchase a firearm, including a handgun or long gun, or ammunition, pursuant to federal law under 18 U.S.C. § 922(g)(9). If you have any questions whether these laws make it illegal for you to possess or purchase a firearm, you should consult an attorney.

If you are not a citizen of the United States and elect to plead guilty to a misdemeanor crime, your right to remain in the United States or later become a citizen may be affected. Please consult with an attorney if you have questions regarding potential immigration consequences.

I HAVE READ THIS ENTIRE DOCUMENT. ITS CONTENTS HAVE BEEN EXPLAINED TO ME AND I HAVE RECEIVED A COPY.

SIGNED _____ DATE _____