District Court of Washington, County of Walla Walla

State of Washington Plaintiff, v. Rachel L. Cortez Defendant.	**No**. 2A46837 **Statement of Defendant on Plea of Guilty (STTDFG)**

1. My true name is ___Rachel Lynn Cortez_____.
2. My age is _41_____.
3. The last level of education I completed was: _J.D._____.
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.

   (b) I am charged with:

Count	Crime	RCW or Ordinance (with subsection)
1.	Malicious Mischief in the Third Degree-DV	RCW 9A.48.090(1)(a) and RCW 10.99.020(7)(a)
2.		
3.		
4.		

[ ] Count/s _____ was/ were committed against an intimate partner.

[x]Count/s ___1_____ was/ were committed against a family or household member.

The elements are:

[ ] as set out in the charging document.

[x] as follows: On or about December 3, 2025, Defendant knowingly and maliciously Caused physical damage to the property of another, under circumstances not Amounting malicious mischief in the first or second degree. This act occurred Against a household or family member as defined in RCW 10.99.020. This occurred in the County of Walla Walla located in Washington State.

5. ***I 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 testify and to have witnesses testify for me. These witnesses can be made to appear at no expense to me;

(e) The right to be presumed innocent unless the charge is proven beyond a reasonable doubt or I enter a plea of guilty;

(f) The right to appeal a finding of guilt after a trial.

6. ***In Considering the Consequences of My Guilty Plea, I Understand That:***

(a) My right to appeal is limited.

(b) The crime with which I am charged carries a maximum sentence of 364 days in jail and a $5,000 fine.

(c) The prosecuting authority will make the following recommendation to the judge:

The recommendations of the prosecuting authority are attached hereto and are Incorporated herein by this reference.

OR

364 days in jail with 362 suspended, 16 hours of community service in lieu of 2 days $5,000 fine with $4,850 suspended, 24-month's probation, DV-MRT

OR

364/362, 16 hrs. CS, $5,000/$4850, 24-months, DV-MRT.

(d) The judge does not have to follow anyone's recommendation about the sentence. The judge can give me any sentence, up to the maximum authorized by law, no matter what the prosecuting authority or anyone else recommends.

(e) The judge may place me on probation for up to 5 years if I am sentenced for a domestic violence offense or under RCW 46.61.5055, or up to 2 years for all other offenses and impose conditions of probation. If the court orders me to appear at a

hearing regarding my compliance with probation and I fail to attend the hearing, the term of probation will be tolled until I appear before the court on the record.

(f) The judge may require me to pay costs, fees, and assessments authorized by law. The judge may also order me to make restitution to any victims who lost money or property as a result of crimes I committed. The maximum amount of restitution is double the amount of the loss of all victims or double the amount of my gain.

(g) If I am not a citizen of the United States, a plea of guilty to an offense punishable as a crime under state law may be grounds for deportation, exclusion from admission to the United States, or denial of naturalization pursuant to the laws of the United States.

Notification Relating to Specific Crimes: If any of the Following Paragraphs Apply, the Box Should Be Checked and the Paragraph Initialed by the Defendant.

[ ] (h) ~~**Non-DUI Crimes *(for DUI related crimes, see para (s) below).*** The crime of _____ has a mandatory minimum sentence of _____ days in jail and a $_____ fine, plus costs and assessments.~~

[ ] (i) ~~The crimes of prostitution, indecent exposure, permitting prostitution, and patronizing a prostitute have a mandatory assessment of $_____. The court may reduce up to 2/3 of this assessment if the court finds that I am not able to pay the assessment. RCW 9A.88.120.~~

[ ] (j) ~~If this crime involves patronizing a prostitute, a condition of my sentence will be that I not be subsequently arrested for patronizing a prostitute or commercial sexual abuse of a minor. The court will impose crime-related geographical restrictions on me, unless the court finds they are not feasible. If this is my first offense, the court will order me to attend a program designed to educate me about the negative costs of prostitution.~~

[ ] (k) ~~This plea of guilty will result in suspension or revocation of my driving license or privilege by the Department of Licensing for a minimum period of _____. The Department of Licensing may impose a longer period of suspension or revocation based upon my record of conviction. The Department of Licensing shall grant credit on a day-for-day basis for any portion of a license suspension, revocation, or denial arising out of the same incident, served prior to this plea of guilty. If you have already served an administrative suspension, revocation or denial under RCW 46.20.3101, the Department of Licensing may not require further suspension or revocation. Additional requirements and fees may apply. RCW 46.61.5055(9).~~

[ ] (l) ~~I understand that RCW 46.20.265 requires that my driver's license be revoked if (a) the current offense is a violation under chapters 69.41 (legend drug), 69.50 (violation of the Uniform Controlled Substances Act), or 69.52 (imitation drugs) RCW, and I was under the age of 21 at the time of the offense **OR** (b) the current offense is a violation under RCW 9.41.040 (unlawful possession of firearm), and I was under the age of 18 at the time of the offense **OR** (c) the current offense is a violation under chapter 66.44 RCW (alcohol), and I was under the age of 18 at the time of the offense, **AND** if (a), (b), or (c) applies, the court finds that I previously committed an offense while armed with a firearm, an unlawful~~

~~possession of a firearm offense, or an offense in violation of chapters 66.44, 69.41, 69.50, or 69.52 RCW.~~

[ ] (m) ~~If I am convicted for violating a domestic violence protection order, the court shall impose a mandatory fine of $15. RCW 7.105.455.~~

[X] (n) I may not possess, own, or have under my control any firearm, and under federal law, any firearm or ammunition, unless my right to do so is restored by the court of record that ordered the prohibition on possession of a firearm or the superior court in Washington State where I live, and by a federal court if required, as a result of my conviction for the following *(check box for applicable crime below)*:

[ ] Possession under RCW 69.50.4011, 69.50.4013, 69.50.4014, or 69.41.030;

OR

[ ] A crime committed against a family/household member or "intimate partner;" [ ] Assault, Fourth Degree; [ ] Coercion; [ ] Stalking; [ ] Reckless Endangerment; [ ] Criminal Trespass, First Degree; [ ] Violation of a Protection Order/No-Contact Order restraining/excluding the person from a residence; [ ] Harassment (on or after June 7, 2018);

OR

[X] Any of the following not included above **committed on or after July 23, 2023**: [x] Domestic Violence (RCW 10.99.020); [ ] Stalking; [ ] Cyberstalking;
[ ] Cyber Harassment [excluding when committed solely pursuant to the element set forth in RCW 9A.90.120(1)(a)(i)]; [ ] Harassment; [ ] Aiming/ Discharging a Firearm (RCW 9.41.230); [ ] Unlawful Carrying/Handling Firearm (RCW 9.41.270); [ ] Animal Cruelty, Second Degree committed under RCW 16.52.207(1); [ ] any "prior offense" as defined in RCW 46.61.5055(14) if committed within seven years of a conviction for any other prior offense under RCW 46.61.5055.

[ ] (o) ~~Concealed Pistol License (CPL):~~

~~[ ] If I am convicted of carrying a weapon apparently capable of producing bodily harm under RCW 9.41.270, my CPL will be revoked.~~

~~OR~~

~~[ ] If I am convicted of knowingly possessing a dangerous weapon on school facilities or areas of facilities while being used for official meetings of a school district board of directors under RCW 9.41.280, my CPL will be revoked for a period of 3 years, and I will be prohibited from applying for a CPL for 3 years.~~

~~OR~~

~~[ ] If I am convicted of possessing a dangerous weapon on child care premises under RCW 9.41.282, my CPL will be revoked for a period of 3 years, I will be prohibited from applying for a CPL for 3 years from the date of conviction, and I must immediately surrender any concealed pistol license.~~

[ ] (p) If this crime involves a violation of Title 77 RCW, the Department of Fish and Wildlife may, and in some cases shall, suspend or revoke my privileges under Fish and Wildlife licensing.

[ ] (q) If this crime involves a drug offense, my eligibility for state and federal education benefits will be affected. 20 U.S.C. § 1091(r).

[ ] (r) This plea of guilty is considered a conviction under RCW 46.25.010, and I will be disqualified from driving a commercial motor vehicle. RCW 46.25.090. I am required to notify the Department of Licensing and my employer of this guilty plea within 30 days after the judge signs this document. RCW 46.25.030.

[ ] (s) If this case involves driving while under the influence of alcohol and/or being in actual physical control of a vehicle while under the influence of alcohol and/or drugs, I have been informed and understand that I will be subject to:

[ ] the penalties described in the "DUI Attachment."

OR

[ ] these penalties. Mandatory minimum sentence:

- _____ days in jail.
- _____ days of electronic home monitoring.
- $ _____ monetary penalty.
- If a 24/7 sobriety program is available, I will have to comply with the 24/7 sobriety program monitoring.
- Comply with the rules and requirements of the Department of Licensing regarding the installation and use of a functioning ignition interlock device on all motor vehicles that I operate.
- For each passenger under age 16 in the vehicle, I will be required to install an ignition interlock device for an additional 12 months for a BAC less than 0.15, drug-related, no test, or THC; or 18 additional months for a BAC greater or equal to 0.15, or refusal. RCW 46.61.5055(6)(a). This period is in addition to any other ignition interlock device requirements imposed by the court or the Department of Licensing.
- The Department of Licensing will suspend or revoke my driving privilege for the period of time stated above in paragraph 6(k).

If I have no prior offenses, instead of the minimum jail term, the judge may order me to serve _____ days of electronic home monitoring or _____ days on 24/7 sobriety program monitoring.

If I have prior offense/s:

- The judge shall order me to submit to an expanded alcohol assessment and comply with treatment deemed appropriate by that assessment.
- If I have one prior offense, instead of mandatory jail and electronic home monitoring, the judge may order me to serve not less than _____ days in jail, and either _____ days of electronic home monitoring or a 120-day period of 24/7 sobriety program monitoring or a 120-day period of ignition interlock device requirement, or both.
- If I have 2 prior offenses, instead of mandatory electronic home monitoring, the judge may order me to serve additional jail time.

If the judge orders me to refrain from consuming any alcohol, the judge may order me to submit to alcohol monitoring. I shall be required to pay for the monitoring unless the judge specifies that the cost will be paid with funds from another source.

The judge may waive electronic home monitoring or order me to obtain an alcohol monitoring device with wireless reporting technology, if that device is reasonably available, if I do not have a dwelling, telephone service, or any other necessity to operate electronic home monitoring. The judge may waive electronic home monitoring if I live out of state, or if the judge determines that I would violate the terms of electronic home monitoring. If the judge waives electronic home monitoring, they will impose an alternative sentence which may include use of an ignition interlock device, additional jail time, work crew, work camp, or a 24/7 sobriety program.

I understand that the 24/7 sobriety program is a program which requires tests of my blood, breath, urine, or other bodily substances to find out if I have alcohol, cannabis, or any controlled substance in my body. Testing must take place at designated location/s. I may be required to pay the fees and costs for the program.

The judge will order as conditions of probation that I: (i) shall not drive a motor vehicle without a valid license; (ii) shall not drive a motor vehicle without proof of liability insurance or other financial responsibility; (iii) shall not drive or be in physical control of a motor vehicle with an alcohol concentration of 0.08 or more or a THC concentration of 5.00 nanograms per milliliter of whole blood or higher, within 2 hours after driving; (iv) shall submit to a breath or blood alcohol test upon the reasonable request of a law enforcement officer; (v) shall not drive a motor vehicle without a functioning ignition interlock device as required by the Department of Licensing. For each violation of the above mandatory conditions, the court shall order my confinement for a minimum of 30 days, which may not be suspended or deferred. For each incident involving a violation, my license shall be suspended for 30 days.

[ ] (t) If this case involves reckless driving and the original charge was driving while under the influence of alcohol and/or being in actual physical control of a vehicle while under the influence of alcohol and/or drugs, and I have one or more prior offenses as defined in RCW 46.61.5055(14) within 7 years; or if the original charge was Vehicular Homicide (RCW 46.61.520) or Vehicular Assault (RCW 46.61.522) committed while under the influence of intoxicating liquor or any drug, I have been informed and understand that I will be subject to the penalties for Reckless Driving described in the "DUI Attachment."

[ ] (u) If this case involves negligent driving in the 1st degree and if I have 1 or more prior offenses as defined in RCW 46.61.5055(14) within 7 years, I have been informed and understand that I will be subject to the penalties for Negligent Driving–1st Degree described in the "DUI Attachment."

[ ] (v) If this case involves a conviction for operating a vehicle without an ignition interlock device under RCW 46.20.740, then my sentence will run consecutive to any sentences imposed under RCW 46.20.750, 46.61.502, 46.61.504, or 46.61.5055. RCW 46.20.740(3).

[ ] (w) ~~If this case involves a conviction for tampering with or circumventing an ignition interlock device under RCW 46.20.750, then my sentence will run consecutive to any sentences imposed under RCW 46.20.740(3), 46.61.502, 46.61.504, 46.61.5055, 46.61.520(1), or 46.61.522(1)(b).~~

[ ] (x) ~~If this crime involves sexual misconduct with a minor in the 2nd degree, communication with a minor for immoral purposes, an attempt, solicitation, or conspiracy to commit a sex offense, a kidnapping offense involving a minor as defined in RCW 9A.44.128, or unlawful transmission of HIV to a child or vulnerable adult under chapter 70.24 RCW, I will be required to register with the county sheriff as described in the "Offender Registration Attachment."~~

[ ] (y) ~~Pursuant to RCW 43.43.754, if this crime is an offense which requires sex or kidnapping offender registration, or is one of the following offenses: assault in the 4th degree where domestic violence was pleaded and proved, assault in the 4th degree with sexual motivation, communication with a minor for immoral purposes, custodial sexual misconduct in the 2nd degree, failure to register, harassment, patronizing a prostitute, sexual misconduct with a minor in the 2nd degree, stalking, indecent exposure, or violation of a sexual assault protection order, I will be required to have a biological sample collected for purposes of DNA identification analysis, unless it is established that the Washington State Patrol crime laboratory already has a sample from me for a qualifying offense.~~

[ ] (z) ~~***Travel Restrictions*****: I will be required to contact my probation officer, the probation director or designee, or the court if there is no probation department, to request permission to travel or transfer to another state if I am placed on probation for 1 year or more and this crime involves: (i) an offense in which a person has incurred direct or threatened physical or psychological harm; (ii) an offense that involves the use or possession of a firearm; (iii) a second or subsequent misdemeanor offense of driving while impaired by drugs or alcohol; (iv) a sexual offense that requires the offender to register as a sex offender in the sending state. I understand that I will be required to pay an application fee with my travel or transfer request.~~

7. I plead guilty to the crime/s of Malicious Mischief in the Third Degree-DV as charged in the complaint/s or citation/s and notice. I have received a copy of that complaint or citation and notice.

   [ ] The complaint or citation and notice was orally amended and I waive filing of a written amended complaint or citation and notice.

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. ***Statement of Facts [by Defendant]*****:** The judge has asked me to state in my own words what I did that makes me guilty of the crime/s, including domestic violence relationships, if they apply. This is my statement (state the specific facts that support each element of the crime/s):

On December 3, 2025, I knowingly and maliciously caused physical damage to the Property of another, to wit: a Monopoly board game belonging to Becca Cortez, under Circumstances not amounting to malicious mischief in the first or second degree. Becca Cortez is a household or family member as defined in RCW 10.99.020. This Occurred in the County of Walla Walla located in Washington State.

[ ] The crime/s was/ were committed against intimate partner/s: *(names)* _____.

[x] The crime/s was/were committed against family or household member/s: *(names)*

Becca Cortez.

[ ] [***No statement made.***] Instead of making a statement, I agree that the court may review the police reports and/or a statement of probable cause supplied by the prosecution to establish a factual basis for the plea, including a determination of my relationship to each victim as:

[ ] intimate partner/s: *(names)* _____.

[ ] family or household member/s: *(names)* _____.

12. My lawyer has explained to me, and we have fully discussed, or I have read, 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.

[ ] An interpreter has interpreted the above paragraphs and my lawyer's explanation and into the _____ language which I understand.

Date: _____ _____
Defendant

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

_____ _____
Prosecuting Authority Defendant's Lawyer

Harry Butkis 666 Nat Jacob 47689
Type or Print Name WSBA No. Type or Print Name WSBA No.

The foregoing statement was signed by the defendant in open court in the presence of the defendant's lawyer (if represented) and the undersigned judge. The defendant asserted that *(check the appropriate box)*:

[ ] (a) The defendant had previously read; or

[ ] (b) The defendant's lawyer had previously read to the defendant; or

[ ] (c) An interpreter had previously sight translated to the defendant the entire statement above and that the defendant understood it in full. The Interpreter's Declaration is included below.

Interpreter's Declaration: I am a certified or registered interpreter, or have been found otherwise qualified by the court to interpret in the _____ language. I have interpreted this document for the defendant from English into that language. I certify under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

Signed at (City) _____, (State) _____, on (Date) _____

_____ _____
Interpreter Print Name WA AOC No.

I find the defendant's plea of guilty to be knowingly, intelligently, and voluntarily made. The 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: _____ _____
Judge/Commissioner/Judge Pro Tempore