



## Crook County Misdemeanor Constitutional Rights

These rights are the rights afforded to you by the United States Constitution and the constitution of the State of Wyoming. **READ THEM CAREFULLY AND BE SURE TO UNDERSTAND THEM.** If you do not understand any or all of your rights you may ask your attorney to explain them to you. You are receiving these because you have been issued a Citation, Information or there are pending criminal charges against you.

First, you have the right to be represented by an attorney chosen and hired by you.

Second, if you want an attorney to represent you but cannot afford one, and if you face a possible jail sentence, then you have the right to have the court appoint an attorney to represent you and to be paid for by the State. This will require submission of financial information under oath. You are also advised that if an attorney is appointed in your case you may be required to reimburse the State at the conclusion of your case, for all or part of the costs of a court-appointed attorney depending on your ability to pay as determined by the court at that time.

Third, you have the right to remain silent--this is your privilege against self-incrimination under the constitutions of the United States and the State of Wyoming, which means that you do not have to give any written or spoken statements to any law enforcement officer--that includes the City Police, the County Sheriff; State Troopers, the County Attorney's Office, and any and all other law enforcement agents or agencies whatsoever. You do not have to speak to them or write out any statements for them. Also, in connection with your right to remain silent, you do not have to give any testimony as a witness in a hearing or trial that may be held in this case. The State may not call you as a witness against yourself; and you do not have to testify in favor of yourself unless you decide of your own free will to do so. You could go through an entire trial without testifying, and no one could say, "the defendant must be guilty, or the defendant would have spoken up in the defendant's own defense." Because you have the right not to say anything, you put the State to its burden of proving your guilt beyond a reasonable doubt without your help. If you do decide to talk about the case or write out any statements for the officers or to testify as a witness, anything you say may be used against you, and also, if you decide to testify as a witness, you maybe cross examined by the attorneys for the state.

Fourth, if you plead not guilty, then you have the right to a full, fair and impartial trial. If you are alleged to have committed a felony you have a right to a preliminary hearing in the Circuit court. If you face a possible jail sentence you may have a jury trial, unless you waive it. Otherwise you will have a trial by the court--in other words by the judge. Either way, during such a trial you have the right to confront the witnesses against you--that is to be in the courtroom while they are there, listen to what they say against you, and to cross-examine them or ask them questions. You also have the right to call witnesses and present testimony in your own behalf including your own testimony and the testimony of any other witnesses you may wish to call, and you have the right to the use of the subpoena power of the court to compel the attendance of any witnesses if you are afraid they will not appear voluntarily.

If you should plead not guilty and are subsequently found guilty after a trial, you have the right to appeal that decision to the district court. If on the other hand you plead guilty, no contest or forfeit your bond or waive or give up your right to have a trial and your right to remain silent and you will be required to testify about the circumstances of the charge(s) against you; and, if you should testify falsely, a separate charge of perjury could be brought against you. You also waive your right to an appeal except for errors in sentencing.

I hereby acknowledge that I have read the foregoing statement of rights and fully understand them and waive my right to have an attorney.

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Defendant's Signature

Date

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Parent Signature required if under 18      Date

**INSTRUCTIONS: You and a parent (if you are under the age of 18) must read, sign, complete and return this document and the Certificate of Completion to: Crook County and Prosecuting Attorney, P.O. Box 397, Sundance, WY 82729, if you choose this option.**