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IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF SAN JUAN

STATE OF WASHINGTON,)	CASE NO. 09 1 05031 4
)	
Plaintiff,)	STATEMENT OF DEFENDANT
)	ON PLEA OF GUILTY
v.)	
)	(STTDFG)
COLTON A. HARRIS-MOORE,)	
)	
Defendant.)	

1. My true name is _____.
2. My age is _____.
3. The last level of education I completed was _____.

4. **I have Been Informed and Fully Understand That:**

- (a) I have the right to representation by a lawyer and if I cannot afford to pay for a lawyer, one will be provided at no expense to me. My lawyer's name is John Henry Browne and Emma C. Scanlan.
- (b) I am charged with the crime(s) of Count I: Residential Burglary; Count II: Burglary in the Second Degree; Count III: Theft in the First Degree; Count IV; Burglary in the Second Degree; Count V: Burglary in the Second Degree; Count VI: Burglary in the Second Degree; Count VII: Burglary in the Second Degree; Count VIII: Theft in the First Degree; Count IX: Theft in the First Degree; Count X: Burglary in the Second Degree; Count XI: Burglary in the Second Degree; Count XII: Residential Burglary; Count XIII Theft in the First Degree; Count XIV: Theft in the First Degree; Count XV: Residential Burglary; Count XVI: Burglary in the Second Degree; Count XVII: Theft in the First Degree.

1 The elements of the above crime(s) are

2 Count I: (1) That on or about the period between the 21st day of August, 2008 and the 25th day
3 of September, 2008, the defendant entered or remained unlawfully in the Pearson dwelling;
4 (2) That the entering or remaining was with intent to commit a crime against a person or
5 property therein; and (3) That the acts occurred in the State of Washington.

6 Count II: (1) That on or about the period between the 23rd day of August, 2008 and the 27th
7 day of August, 2008, the defendant entered or remained unlawfully in a building: Vern's
8 Bayside Restaurant and Lounge; (2) That the entering or remaining was with intent to commit
9 a crime against a person or property therein; and (3) That the acts occurred in the State of
10 Washington.

11 Count III: (1) that on or about the period between the 7th day of November, 2008 and the 12th
12 day of November, 2008, the defendant wrongfully obtained or exerted unauthorized control
13 over the property or services of another or the value thereof: a Cessna 182S airplane belonging
14 to Robert Rivers; (2) That the property or services exceeded \$1,500 in value; (3) That the
15 defendant intended to deprive the other person of the property or services; (4) That the acts
16 occurred in the State of Washington.

17 Count IV: (1) That on or about the period between the 31st day of August, 2009 and the 1st
18 day of September, 2009, the defendant entered or remained unlawfully in a building: Vern's
19 Bayside Restaurant and Lounge; (2) That the entering or remaining was with intent to commit
20 a crime against a person or property therein; and (3) That the acts occurred in the State of
21 Washington.

22 Count V: (1) That on or about the period between the 31st day of August, 2009 and the 1st day
23 of September, 2009, the defendant entered or remained unlawfully in a building: the
24 Sunflower Café; (2) That the entering or remaining was with intent to commit a crime against
25 a person or property therein; and (3) That the acts occurred in the State of Washington.

26 Count VI: (1) That on or about the period between the 4th day of September, 2009 and the 5th
27 day of September, 2009, the defendant entered or remained unlawfully in a building: Ace
28 Hardware Store; (2) That the entering or remaining was with intent to commit a crime against
a person or property therein; and (3) That the acts occurred in the State of Washington.

Count VII: (1) That on or about the period between the 7th day of September, 2009 and the 8th
day of September, 2009, the defendant entered or remained unlawfully in a building: Island
Market; (2) That the entering or remaining was with intent to commit a crime against a person
or property therein; and (3) That the acts occurred in the State of Washington.

Count VIII: (1) That on or about the period between the 8th day of September, 2009 and the
12th day of September, 2009, the defendant wrongfully obtained or exerted unauthorized
control over the property or services of another or the value thereof: a Cirrus SR 22 airplane
belonging to Christopher Eichman, and a 2003 Harbor Craft, "Fishin' Magishin", belonging
to Nathan Brandow; (2) That the property or services exceeded \$5,000 in value; (3) That the
defendant intended to deprive the other person of the property or services; (4) That the acts
occurred in the State of Washington.

Count IX: (1) That on or about the period between the 12th day of September, 2009 and the
13th day of September, 2009, the defendant wrongfully obtained or exerted unauthorized
control over the property or services of another or the value thereof: a vessel belonging to
Jason Linnes; (2) That the property or services exceeded \$5,000 in value; (3) That the
defendant intended to deprive the other person of the property or services; (4) That the acts

1 occurred in the State of Washington.

2 Count X: (1) That on or about the period between the 10th day of February, 2010 and the 11th
3 day of February, 2010, the defendant entered or remained unlawfully in a building: Orcas
4 Homegrown Market & Deli; (2) That the entering or remaining was with intent to commit a
5 crime against a person or property therein; and (3) That the acts occurred in the State of
6 Washington.

7 Count XI: (1) That on or about the period between the 27th day of February, 2010 and the 28th
8 day of February, 2010, the defendant entered or remained unlawfully in a building: Ace
9 Hardware Store; (2) That the entering or remaining was with intent to commit a crime against
10 a person or property therein; and (3) That the acts occurred in the State of Washington.

11 Count XII: (1) That on or about the period between the 12th day of May, 2010 and the 13th day
12 of May, 21010, the defendant entered or remained unlawfully in the Sears dwelling; (2) That
13 the entering or remaining was with intent to commit a crime against a person or property
14 therein; and (3) That the acts occurred in the State of Washington.

15 Count XIII: (1) That on or about the 13th day of May, 2010, the defendant wrongfully
16 obtained or exerted unauthorized control over the property or services of another or the value
17 thereof: a vessel belonging to Michael and Judy Sear family; (2) That the property or services
18 exceeded \$5,000 in value; (3) That the defendant intended to deprive the other person of the
19 property or services; (4) That the acts occurred in the State of Washington.

20 Count XIV: (1) That on or about the period between the 15th day of May, 2010 and the 16th
21 day of May, 2010, the defendant wrongfully obtained or exerted unauthorized control over the
22 property or services of another or the value thereof: a vessel belonging to Krista Mann and
23 Stephanie Dallas; (2) That the property or services exceeded \$5,000 in value; (3) That the
24 defendant intended to deprive the other person of the property or services; (4) That the acts
25 occurred in the State of Washington.

26 Count XV: (1) That on or about the period between the 15th day of March, 2010 and the 23rd
27 day of March, 21010, the defendant entered or remained unlawfully in the Parnell dwelling;
28 (2) That the entering or remaining was with intent to commit a crime against a person or
property therein; and (3) That the acts occurred in the State of Washington.

Count XVI: (1) That on or about the period between the 1st day of November, 2009 and the
7th day of May, 2010, the defendant entered or remained unlawfully in a building: te Parnell
airplane hangar; (2) That the entering or remaining was with intent to commit a crime against
a person or property therein; and (3) That the acts occurred in the State of Washington.

Count XVII: (1) that on or about the period between the 10th day of February, 2010 and the
11th day of February, 2010, the defendant wrongfully obtained or exerted unauthorized control
over the property or services of another or the value thereof: a Cirrus SR22. tail number
N47LG, registered to Alyeska Aviation LLC; (2) That the property or services exceeded
\$5,000 in value; (3) That the defendant intended to deprive the other person of the property
or services; (4) That the acts occurred in the State of Washington.

Statement of Facts. The parties agree on the following facts. Defendant admits he is
guilty of the charged offenses.

On or about April 29, 2008, COLTON HARRIS-MOORE escaped without lawful
permission from the Friends of Youth Griffin Home in Renton, Washington, where he was

1 serving a custodial sentence pursuant to a conviction under Washington state law. After
2 escaping, HARRIS-MOORE committed a series of thefts and burglaries on Camano Island,
3 located in Island County, from June 2 to July 18, 2008. Sometime between July 18 to on or
4 about August 23, 2008, HARRIS-MOORE traveled from Camano Island to Orcas Island,
5 located in San Juan County.

6 On or about the period between August 21 - 25, 2008, HARRIS-MOORE did
7 unlawfully enter a dwelling, namely, the Pearson Residence, located on Crow Valley Road on
8 Orcas Island. While the Pearsons were away on vacation, HARRIS-MOORE remained in the
9 house without permission and used the Pearson's washer, dryer and bathroom. HARRIS-
10 MOORE did take the property of another with the intent to deprive the owner of said property,
11 to wit, an Azus-brand lap-top computer, a wallet containing \$40 and a Gary Fisher bicycle. In
12 addition, HARRIS-MOORE ordered a cellular telephone to be shipped to the Pearson
13 Residence. On September 23, 2008, the staff of Aeronautical Service reported that someone
14 had ordered a cellular telephone to be delivered to the Pearsons. That night, law enforcement
15 officers conducted a stake-out of the Pearson residence. During the night, HARRIS-MOORE
16 entered the Pearson residence using a key but fled when confronted by a deputy.

17 On or about the period between August 23 - 24, 2008, HARRIS-MOORE did
18 unlawfully enter Vern's Bayside Restaurant and Lounge in Eastsound, Washington. In the
19 course of conduct, HARRIS-MOORE damaged the office door by forcing it open. After
20 entering Vern's, HARRIS-MOORE purchased a DVD course titled "How to Fly an Airplane"
21 and surveillance cameras online using Vern's American Express access card. The DVD course
22 was delivered to Vern's on the following day. On or about August 27, 2008, HARRIS-MOORE
23 returned to Vern's to retrieve the How to Fly an Airplane DVD course by entering through a
24 window. Then, HARRIS-MOORE broke open the safe. In doing so, HARRIS-MOORE
25 intended to deprive the rightful owner of their property, to wit, \$10,000 in U.S. currency, two
26 credit cards, a passport, a social security card and the How to Fly an Airplane DVD course.

27 Between on or about November 7, 2008 and November 12, 2008, HARRIS-MOORE
28 exerted unauthorized control over the property of another, to wit, a Cessna model 182S
airplane belonging to Robert Rivers. The airplane is valued at approximately \$175,000.
HARRIS-MOORE intended to deprive Mr. Rivers of the Cessna 182S by taking the plane from
Mr. Rivers' hangar at the Orcas Island Airport without permission, and flying the airplane to
White Swan, an area of the Yakima Nation in Washington State. In doing so, HARRIS-
MOORE damaged the plane beyond repair when landing and vomited in the cabin.

Sometime before September 1, 2009, HARRIS-MOORE returned to San Juan County.

On the night of August 31, 2009 and September 1, 2009, HARRIS-MOORE broke into
Vern's Bayside Restaurant and Lounge in Eastsound, Washington a second time (the first
burglary occurred on or about August 24, 2008). HARRIS-MOORE pried open the east door
and took the property of another with the intent to deprive the owner of said property, to wit,
two video surveillance cameras. Then, HARRIS-MOORE walked to where the safe was
previously located in Vern's (the safe was moved after the first burglary). On the night of the
burglary, HARRIS-MOORE was barefoot, wore a tan-colored T-shirt with a graphic design
across the chest, a black shirt to cover his face and a wristwatch on the right arm.

On the night of August 31, 2009 and September 1, 2009, on the same night HARRIS-
MOORE burglarized Vern's, HARRIS-MOORE did enter an building, namely, the Sunflower
Café in Eastsound, Washington. The Sunflower Café is directly across the street from Vern's.
Therein, HARRIS-MOORE took the property of another, to wit, \$296 from the till and \$3,280
in cash from the ATM.

1 On or about the night of September 4 - 5, 2009, HARRIS-MOORE unlawfully entered
2 Ace Hardware Store in Eastsound, Washington. HARRIS-MOORE pulled down a fence post
3 in the rear of the store to gain entry to the back yard, climbed a stack of gardening supplies to
4 gain access to the roof, walked along the roof, and entered the building through an unlocked
5 window in the second floor storage area, leaving bare footprints on the wooden floor. In the
6 continuing course of conduct, HARRIS-MOORE turned off the computers powering the
7 surveillance system. HARRIS-MOORE took several items from Ace Hardware with the intent
8 of depriving the owner of said property. First, HARRIS-MOORE took money from a filing
9 cabinet located on the second floor. Second, HARRIS-MOORE took items from the first floor
10 of the store, including but not limited to: bolt cutters, a pry bar, a maul/sledge hammer, drill
11 bits and a Coleman sleeping bag. Then, HARRIS-MOORE forced open the safe and took cash
12 in two black, nylon, Key Bank bags (the bags were unusual because they are old and no longer
13 issued by Key Bank). HARRIS-MOORE exited through the rear freight door by using the bolt
14 cutters to cut the pad lock used to secure the door from inside.

15 On the night of September 4- 5, 2009, after committing burglary of Ace Hardware,
16 HARRIS-MOORE broke into a window to gain entry into Islanders Bank.¹ Once he was inside
17 the bank, HARRIS-MOORE attempted to break into the ATM. Near the ATM, HARRIS-
18 MOORE left drill bits, a sledge hammer and a crow bar he took earlier that night from Ace
19 Hardware.

20 On or about the night of September 7 - 8, 2009, HARRIS-MOORE unlawfully entered
21 Island Market, a grocery store located in Eastsound, Washington, with the intent to commit a
22 crime against the property therein. HARRIS-MOORE damaged the ATM with use of the store
23 pallet jack, then doused the ATM with bleach to clean trace evidence. During the burglary,
24 HARRIS-MOORE cut his hand and washed his hand in the deli kitchen.

25 On the night of September 8 - 9, 2009, HARRIS-MOORE did unlawfully take the
26 property of Nathan Brandow, to wit: a 2003 Kingfisher, "Fishin' Magishin" that was docked
27 at Brandt's Marina in Eastsound, Washington. The vessel is valued at over \$50,000. HARRIS-
28 MOORE obtained the keys to the vessel, used them to start the engine, and took the vessel to
Friday Harbor with intent to deprive the owner temporarily or permanently of the property, and
then set it adrift, causing damage to the vessel.

On or about September 11 - 12, 2009, HARRIS-MOORE did unlawfully take the
property of Christopher Eichman, to wit, a Cirrus SR-22 Turbo X airplane that was parked in
the transient parking area in the northeast corner of the Friday Harbor Airport. The Cirrus SR
22 airplane is valued at approximately \$700,000. HARRIS-MOORE damaged the lock on the
pilot's side of the aircraft and used a spare set of keys from the center console to start the plane.
HARRIS-MOORE intended to deprive the property owner temporarily or permanently the
Cirrus SR-22 by flying the plane from the Friday Harbor Airport and landing the plane at the
Orcas Island Airport at 12:23 a.m. HARRIS-MOORE damaged the plane in the course of
landing.

On September 12, 2009, after HARRIS-MOORE landed at the Orcas Island Airport,
HARRIS-MOORE was recognized by Deputy Patterson, who had viewed surveillance video
of the Island Market burglary. That night, HARRIS-MOORE wore the same tan T-shirt with
a graphic design that he wore during the burglary of Island Market on September 8, 2009.
Deputy Patterson radioed to other law enforcement in the area that he was in pursuit of

¹The Islanders Bank burglary is included in the plea agreement between
COLTON HARRIS-MOORE and the United States of America by and through Jenny A.
Durkan, United States Attorney for the Western District of Washington.

1 HARRIS-MOORE on foot. In the course of pursuing HARRIS-MOORE, Deputy Crowe found
2 a bag next to North Beach Road a short distance from the airport that contained three Pilatus
3 blankets (taken from the Parnell aircraft hangar) and a Coleman sleeping bag (the same type
4 stolen by HARRIS-MOORE from Ace Hardware). As Deputy Crowe examined the items in
5 the bag, HARRIS-MOORE taunted him from a distance, saying "You can't catch me."

6 On or about September 12 - 13, 2009, HARRIS-MOORE did take the property of Jason
7 Linnes, to wit, a 30 foot Express Cruiser worth approximately \$75,000. The boat was moored
8 at Brandt's Landing Marina, just north of the Orcas Island Airport. HARRIS-MOORE did
9 intend to deprive the property owner of the Express Cruiser by driving the vessel to Point
10 Roberts. Off the shore of Point Roberts, HARRIS-MOORE set the boat adrift. An unknown
11 person later tied the vessel to a mooring buoy.

12 After traveling to Point Roberts, Washington, HARRIS-MOORE traveled to Delta,
13 British Columbia, east to Creston, British Columbia and then south into Idaho. HARRIS-
14 MOORE then transported a stolen aircraft from Bonners Ferry, Idaho to Snohomish County,
15 Washington, near the city of Granite Falls. In the course of committing a residential burglary
16 near Granite Falls, Washington, HARRIS-MOORE stole a Jennings .22 caliber semi-automatic
17 pistol and carried it with him. The two Key Bank cash bags stolen from the Ace Hardware
18 Store in Eastsound were found at a campsite near the residence.

19 On the night of February 10 - 11, 2010, HARRIS-MOORE unlawfully entered a hangar
20 at the Anacortes Airport, wrongfully obtained and exercised unlawful control over a Cirrus
21 SR22 aircraft, tail number N47LG, registered to Alyeska Aviation LLC, with intent to deprive
22 the owner of the airplane. The airplane is valued at over \$300,000. The defendant flew the
23 airplane to the Orcas Island Airport, where he made a hard landing. The airplane was found
24 in the grass between the runway and the taxiway. Jeff Hendricks, the owner of the airplane,
25 reported that no one had permission to use his airplane and that his flight manual was missing
26 from the airplane. A note written by the defendant was found inside the airplane and the
27 defendant's thumb print was found on the airplane's aileron.

28 On the night of February 10 - 11, 2010, HARRIS-MOORE walked from the Orcas
Island Airport and into Eastsound, Washington and unlawfully entered Orcas Homegrown.
Inside Orcas Homegrown, HARRIS-MOORE forced a drawer open that was mounted under
a counter near the back of the store and obtained a set of keys. HARRIS-MOORE used the
keys from the drawer to access a safe on the second floor and took \$1,200 in United States
Currency. HARRIS-MOORE took a security monitor with a built-in hard drive to the first floor
and attempted to break it. When this failed, HARRIS-MOORE submerged the entire unit in
a sink full of water, damaging the surveillance system. Using chalk, HARRIS-MOORE drew
a series of footprints on the floor of Orcas Homegrown, leading towards the exit, and printed
"C. YA!"

On the night of February 27 - 28, 2010, HARRIS-MOORE entered Ace Hardware in
Eastsound, Washington, and burglarized the store a second time (the first burglary occurred
on September 5, 2009). HARRIS-MOORE climbed on stacked pallets containing bags of bark
next to the rear of the building to gain access to the roof. Then, HARRIS-MOORE walked
along the roof to a second-floor storage window, broke the window and forced it open. After
entering the building, HARRIS-MOORE walked down a staircase to the first floor storage area
and used a pair of bolt cutters to break the window of a locked door separating the retail area
from the storage area. HARRIS-MOORE left the bolt cutters near the damaged door. HARRIS-
MOORE used the same bolt cutters he took from the burglary of Ace Hardware on the night
of September 4-5, 2009.

1 Between February 28, 2010 and May 13, 2010, HARRIS-MOORE traveled from Orcas
2 Island to San Juan Island.

3 On or about May 13, 2010, while the Sears were on vacation, HARRIS-MOORE
4 entered the Sear Residence by forcing open the garage door. The Sear's house is located near
5 Cape San Juan on San Juan Island. Once inside, HARRIS-MOORE remained, ate food, and
6 took a Specialized Crossroads bicycle from the residence.

7 After leaving the Sear Residence, on May 13, 2010, HARRIS-MOORE took the
8 property of the Sears', to wit, the vessel "SunSpot," a 24 foot Seasport, moored at the private
9 dock attached to their property. "SunSpot" is worth over \$50,000. HARRIS-MOORE intended
10 to deprive the Sears' of the vessel SunSpot by driving the boat to the area off the shore of
11 King's Point on Lopez Island. Then, HARRIS-MOORE abandoned SunSpot near the shore.
12 SunSpot was found aground on the rocks near Shark Reef the following day.

13 On the night of May 15 - 16, 2010, HARRIS-MOORE exerted unauthorized control
14 over the property of another, to wit, the vessel "Stella Maris," a 35 foot Coastal worth
15 approximately \$300,000. The Stella Maris was docked at Spencer's Landing Marina, located
16 near the northern tip of Lopez Island. HARRIS-MOORE drove the Stella Maris from its berth
17 at approximately 10:00pm. HARRIS-MOORE intended to Ms. Mann of the Stella Maria by
18 driving the vessel to the southern end of Camano Island. On May 16, 2010, the Stella Maris
19 was found adrift between the southernmost point of Camano Island and Gedney Island.

20 Intermittently, HARRIS-MOORE entered and remained without permission at Mike
21 and Dawn Parnell's hangar at the Orcas Island Airport in Eastsound, Washington and their
22 residence located on Lovers Cove Road during the years of his crime spree in San Juan County.
23 HARRIS-MOORE began entering the Parnell's hangar sometime before December 2008. The
24 bag found on the night of September 12, 2009 by Deputy Crowe next to North Beach Road
25 contained three Pilatus blankets. Pilatus is a manufacturer of single-engine turboprop aircraft.
26 Mr. Parnell later determined that the Pilatus blankets were stolen from the aircraft he traded
27 in for a newer model in December 2008.

28 Beginning in November 2009, Mike Parnell noticed that items were missing from his
hangar at the Orcas Island Airport in Eastsound, Washington. Sometime before February 11,
2010, Parnell discovered the pilot's manual to his Pilatus airplane was missing.

On or about March 15, 2010, HARRIS-MOORE entered and remained unlawfully in
the Parnell residence. HARRIS-MOORE took a wicker basket, an Orcas Christian School
sweatshirt, food, key's for Mrs. Parnell's Ford F150 pickup truck, and a MacBook computer,
with the intent to deprive the owner of said property.

On or about March 18, 2010, HARRIS-MOORE drove the Parnell's Ford F150 from
the Parnell's hangar to the vicinity of the Parnell residence on Lover's Cove Road. HARRIS-
MOORE abandoned it in the roadway.

On April 1, 2010, HARRIS-MOORE entered and remained in a building, namely, the
Parnell's hangar and tampered with the alarm system.

Sometime before May 2, 2010, HARRIS-MOORE took stolen items to Mr. Parnell's
hangar and stored them in a hiding place on the second floor near the northwest corner of the
roof. In the cache was a mattress, on top of which were numerous items, including : HARRIS-
MOORE left the .22 caliber Jennings (from the residential burglary HARRIS-MOORE
committed in Granite Falls, Washington) and items stolen from the Parnell's car; HARRIS-
MOORE took several items from the Parnell's residence to the hangar, including a wicker

1 basket, an Orcas Christian School sweatshirt, clothing, food, a Blackberry phone and charger,
2 a backpack, DVDs and flying magazines.

3 **5. I Understand I Have the Following Important Rights, and I Give Them Up by**
4 **Pleading Guilty:** [Please initial "a" through "f" after reading each one]

- 5 — (a) The right to a speedy and public trial by an impartial jury in the county where
6 the crime was allegedly committed;
7 — (b) The right to remain silent before and during trial, and the right to refuse to
8 testify against myself;
9 — (c) The right at trial to hear and question the witnesses who testify against me;
10 — (d) The right at trial to testify and to have witnesses testify for me. These
11 witnesses can be made to appear at no expense to me;
12 — (e) The right to be presumed innocent unless the State proves the charge beyond
13 a reasonable doubt or I enter a plea of guilty;
14 — (f) The right to appeal a finding of guilt after a trial.

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

- 16 (a) Each crime with which I am charged carries a maximum sentence, a fine, and
17 a **Standard Sentence Range** as follows:

Count No.	OFFENDER SCORE	STANDARD RANGE ACTUAL CONFINEMENT (not including enhancements)	PLUS Enhancements	COMMUNITY CUSTODY	MAXIMUM TERM AND FINE
Residential Burglary I, , XII, XV	59*	63 to 84 months		N/A	10 years and \$20,000
Burglary 2nd II, IV, V, VI, VII, X, XI, XVI	59*	51 to 68 months		N/A	10 years and \$20,000
Theft 1st III, VII, IX, XIII, XIV, XVII	35++	43 to 57 months		N/A	10 years and \$20,000

18 *Each sentencing enhancement will run consecutively to all other parts of my entire sentence, including other enhancements and other counts.
19 The enhancement codes are: [F] Firearm, [D] other deadly weapon, [V] VUCSA in protected zone, [VH] Veh. Hom, See RCW 46.61.520,
20 [JP] Juvenile Present [CSG] Criminal street gang involving minor, [AE] Endangerment while attempting to

21 * Offender score will be 58 if Count I is dismissed from the Information filed by the Island County Prosecuting Attorney
22 ++ Offender score will be 34 if Count I is dismissed from the Information filed by the Island County Prosecuting Attorney

- 23 (b) The standard sentence range is based on the crime charged and my criminal
24 history. Criminal history includes prior convictions and juvenile adjudications
25 or convictions, whether in this state, in federal court, or elsewhere.

1 (c) The prosecuting attorney's statement of my criminal history is set forth below.
2 Unless I have attached a different statement, I agree that the prosecuting
3 attorney's's statement is correct and complete. If I have attached my own
4 statement, I assert that it is correct and complete. If I am convicted of any
5 additional crimes between now and the time I am sentenced, I am obligated to
6 tell the sentencing judge about those convictions.

7 Juvenile Criminal History:

8 Residential Burglary	06/27/07
9 Residential Burglary	06/27/07
10 Residential Burglary	06/27/07
11 Burglary 2 nd	07/03/06
12 Theft 2 nd	03/02/05
13 Theft 3d	03/02/05
14 Theft 2d	2004
15 Burglary 2 nd	05/25/04
16 Malicious Mischief 3 rd	05/25/04
17 Assault 4 th	03/26/04
18 Possessing Stolen Property 3d	02/06/04

19 Current Pending Offenses:

20 Island County:

21 Theft of Firearm**
22 Residential Burglary [Star]
23 Residential Burglary [Pettyjohn]
24 Residential Burglary [Levigne]
25 Residential Burglary Wagner]
26 Identity Theft 1st [Free]
27 Burglary 2nd [Camano Island Fire & Rescue]
28 Burglary 2nd [Island County Annex Building]
Burglary 2nd [Muscolo]
Identity Theft 2nd [Packer]
Residential Burglary [Olsen]
Identity Theft 2 [Nestor]
Computer Trespass 1st [McKee]
Felony Eluding
Burglary 1st [Gleyre; Snohomish County]
Theft of a Motor Vehicle [Glover; Snohomish County]

****If this charge is dismissed, this offense will not count as a current pending offense.**

_____ The Defendant hereby declares, under penalty of perjury as provided by RCW 9A.72.020 or 030, that the criminal history listed in this agreement is true, correct and complete, that the Defendant has no additional criminal convictions or adjudications that would count toward the offender score, and that the Defendant's community

1 custody/placement status at the time of the current offense(s) is
2 correctly noted herein.

- 3 (d) If I am convicted of any new crimes before sentencing, or if any
4 additional criminal history is discovered, both the standard sentence
5 range and the prosecuting attorney's recommendation may increase.
6 Even so, my plea of guilty to this charge is binding on me. I cannot
7 change my mind if additional criminal history is discovered even
8 though the standard sentencing range and the prosecuting attorney's
9 recommendation increase or a mandatory sentence of life
10 imprisonment without the possibility of parole is required by law.
- 11 (e) In addition to sentencing me to confinement, the judge will order me
12 to pay \$ 500.00 as a victim's compensation fund assessment. If this
13 crime resulted in injury to any person or damage to or loss of
14 property, the judge will order me to make restitution, unless
15 extraordinary circumstances exist which make restitution
16 inappropriate. The amount of restitution may be up to double my
17 gain or double the victim's loss. The judge may also order that I pay
18 a fine, court costs, attorney fees, assessments and the costs of
19 incarceration.
- 20 (f) For crimes committed prior to July 1, 2000: In addition to sentencing
21 me to confinement, the judge may order me to serve up to one year
22 of community custody if the total period of confinement ordered is
23 not more than 12 months. If the total period of confinement is more
24 than 12 months, and if this crime is a drug offense, assault in the
25 second degree, assault of a child in the second degree, or any crime
26 against a person in which a specific finding was made that I or an
27 accomplice was armed with a deadly weapon, the judge will order
28 me to serve at least one year of community custody. If this crime is a
vehicular homicide, vehicular assault, or a serious violent offense,
the judge will order me to serve at least two years of community
custody. The actual period of community custody may be longer
than my earned early release period. During the period of
community custody, I will be under the supervision of the
Department of Corrections, and I will have restrictions and
requirements placed upon me.

[] For offenses committed after July 1, 2000 but prior to July
26, 2009, the court may impose a community custody range as
follows: for serious violent offenses, 24 to 36 months; for crimes
against persons, 9 to 12 months; for offenses under 69.50 and 69.52,
9 to 12 months.

1 For crimes committed on or after July 1, 2000: In addition to
 2 sentencing me to confinement, under certain circumstances the judge
 3 may order me to serve up to one year of community custody if the
 4 total period of confinement ordered is not more than 12 months, but
 5 only if the crime I have been convicted of falls into one of the
 6 offense types listed in the following chart. For the offense of failure
 7 to register as a sex offender, regardless of the length of confinement,
 8 the judge will sentence me to 36 months of community custody. If
 9 the total period of confinement ordered is more than 12 months, and
 10 if the crime I have been convicted of falls into one of the offense
 11 types listed in the following chart, the court will sentence me to
 12 community custody for the term established for that offense type
 13 unless the judge finds substantial and compelling reasons not to do
 14 so. If the period of earned release awarded per RCW 9.94A.728 is longer,
 15 that will be the term of my community custody. If the crime I have been
 16 convicted of falls into more than one category of offense types listed in the
 17 following chart, then the community custody term will be based on the offense
 18 type that dictates the longest term of community custody.

OFFENSE TYPE	COMMUNITY CUSTODY TERM
Serious Violent Offenses	36 months
Violent Offenses	18 months
Crimes Against Persons as defined by RCW 9.94A.411(2)	12 months
Offenses under Chapter 69.50 or 69.52 RCW (not sentenced under RCW 9.94A.660) Offenses involving the unlawful possession of a firearm where the offender is a criminal street gang member or associate	12 months

23 Certain sentencing alternatives may also include community custody.

24 During the period of community custody I will be under the supervision of
 25 the Department of Corrections, and I will have restrictions and requirements
 26 placed upon me, including additional conditions of community custody that
 27 may be imposed by the Department of Corrections. My failure to comply
 28 with these conditions will render me ineligible for general assistance, RCW
 74.04.005(6)(h), and may result in the Department of Corrections
 transferring me to a more restrictive confinement status or other sanctions.

1 If I violate the conditions of my community custody, the Department of
2 Corrections may sanction me up to 60 days confinement per violation and/or
3 revoke my earned early release, or the Department of Corrections may
4 impose additional conditions or other stipulated penalties. The court also
has authority to impose sanctions for any violation.

5 (g) The prosecuting attorney will make the following recommendation to the
6 judge:

7	Count I:	Residential Burglary [Pearson]	84 months
8	Count II:	Burglary 2 nd [Vern's Bayside]	68 months
9	Count III:	Theft 1 st [River Airplane]	57 months
10	Count IV:	Burglary 2 nd [Vern's Bayside]	68 months
11	Count V:	Burglary 2 nd [Sunflower Café]	68 months
12	Count VI:	Burglary 2 nd [Ace Hardware]	68 months
13	Count VII:	Burglary 2 nd [Island Market]	68 months
14	Count VIII:	Theft 1 st [Eichman airplane & Brandow vessel]	57 months
15	Count XI:	Theft 1 st [Linnes vessel]	57 months
16	Count X:	Burglary 2 nd [Orcas Homegrown]	68 months
17	Count XI:	Burglary 2 nd [Ace Hardware]	68 months
18	Count XII:	Residential Burglary [Sears]	84 months
19	Count XIII:	Theft 1 st [Sears vessel]	57 months
20	Count XIV:	Theft 1 st [[Stella Maris]	57 months
21	Count XV:	Residential Burglary [Parnell]	84 months
22	Count XVI:	Burglary 2 nd [Parnell hangar]	68 months
23	Count XVII:	Theft 1 st [Hendricks airplane]	57 months

24 The defendant shall be restrained from going to or within 500 feet of the victims'
25 residences and other real property (including businesses), from having any contact with
26 their personal property, and from knowingly having any contact with their families.

27 Pay:

28 \$ 500 CVCF
\$ 200 filing fee
\$ 100 DNA fee
\$1,200 crime lab fee [12 cases]

1 Restitution to all victims as set forth below or their subrogees [as well as to all
2 victims identified in the proffer to be provided by the defendant]

3 Douglas Pearson \$1,741.65
4 Steve & Marion Rathbone \$29,800.00
5 Robert Rivers \$47,021.45
6 AVEMCO Insurance \$135,267.00
claim # 0801000560

7 David Johnson [or subrogee] \$3,576.00
8 Scott Lancaster [or subrogee] \$3,675.84

9 Island Market \$11,549.97

10 Cirrus Design \$8,435.86

11 Jason Linnes \$2,060.17

Island Homegrown Market \$500.00

12 Red Shield Ins. Co. \$5,897.46

13 claim#10-4655698

14 Michael & Judy Sear \$ 7,900.00

15 Krista Mann \$ 1,724.63

16 Michael Parnell \$3,973.99

17 Islanders Bank \$1,272.23

Global Aerospace \$27,606.12

18 \$292,002.37 Total restitution for Counts I through XVII

19 and Islanders Bank, with exception of
20 Brandow restitution [Count VIII], which shall
21 be determined at a later date.

22 All sentences imposed in each count of the San Juan County Second Amended
23 Information to run *concurrently* with each other and *concurrently* with sentences imposed
24 in current cases in Island County and with the pending federal case in Seattle, Washington.
25 However, sentences in the state cases shall run *consecutively* to any unserved time
26 remaining for any prior Island County Juvenile Court cases.

26 **Non-prosecution of additional offenses:** As part of this plea agreement, the San Juan
27 County Prosecuting Attorney's Office for San Juan County agrees not to prosecute
28 Defendant for any additional offenses known to it as of the time of this Agreement that are
based upon evidence in its possession at this time, and that arise out of the conduct giving