

Verified Correct Copy of Original 3/3/2023.

IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF WASHINGTON

STATE OF OREGON,)
)
 Plaintiff,)
)
 v.)
)
 JOHN MICHAEL MANN,)
 Defendant.)

Case No. 22CR16790
Control No. _____
**PETITION TO ENTER PLEA
AND ORDER**

I am the defendant in this case, and my initials and signature below indicate that I have read or have had read to me, understand, and affirm all of the following:

1. My full true name is John Michael Mann.
2. My physical and mental health is presently satisfactory. At this time I am not under the influence of any drugs or intoxicants (nor was I at the time the crime was committed). State any exceptions: None

3. I have told my lawyer everything I know about the charge(s) against me. My lawyer has talked with me about the charge(s), possible defenses, and legal challenges I may have in this case. I am satisfied with the advice and help my lawyer gave me.

4. I know I have the following rights at trial: (1) to have a jury trial or, if I choose not to have a jury trial, the right to have a trial by a judge; (2) to see, hear, and question all people who testify against me; (3) to remain silent about all facts of the case; (4) to call witnesses and enter evidence; (5) to testify; (6) to have the jury told, if I do not testify, that it cannot hold that decision against me; and (7) to require the district attorney to prove my guilt and all sentence enhancement facts to a jury or court beyond a reasonable doubt.


5. I understand that I give up all of the rights listed in paragraph #4 above when I plead either "Guilty" or "No Contest." I understand that I also give up: (1) any defenses I may have to the charge(s); (2) objections to the consideration of evidence concerning my guilt; and (3) challenges to the accusatory instrument.

6. I understand that a plea of "Guilty" or "No Contest" will result in a final conviction for the charge(s) listed in paragraph #7 below. I understand that if I plead "Guilty" or "No Contest," the judge may impose the same punishment as if I pleaded "Not Guilty," had a trial, and was convicted.

7. I want to plead:

Guilty No Contest to count # 1 /Offense(s) Encouraging Child Sex Abuse I.
 Misdemeanor / Felony, Grid Block: 8 / I, Presumptive Sentence: 16-18 months prison.
Post-Prison Supervision: 3 years, Maximum Sentence: 10 yr. prison Maximum Fine: \$250,000.
Minimum Sentence or Departure Sentence: _____, Mandatory Fine: \$200

Guilty No Contest to count # 2 /Offense(s) Encouraging Child Sex Abuse I.
 Misdemeanor / Felony, Grid Block: 8 / D, Presumptive Sentence: 27-28 months prison
Post-Prison Supervision: 3 years Maximum Sentence: 10 yr. prison Maximum Fine: \$250,000.
~~Minimum Sentence or~~ Departure Sentence: Optional probation, Mandatory Fine: \$200

22CR16790
PTGP
Petition - Guilty Plea
16410741


Defendant's Initials JM

Guilty No Contest to count # 3 /Offense(s) Encouraging Child Sex Abuse I
Misdemeanor / Felony, Grid Block: 8 / B, Presumptive Sentence: 35-40 months prison,
Post-Prison Supervision: 3 years, Maximum Sentence: 10 yr prison Maximum Fine: \$250,000
~~Minimum Sentence or~~ Departure Sentence: Optional probation, Mandatory Fine: \$200

Guilty No Contest to count # 4 /Offense(s) Encouraging Child Sex Abuse I
Misdemeanor / Felony, Grid Block: 8 / A, Presumptive Sentence: 41-45 months prison,
Post-Prison Supervision: 3 years, Maximum Sentence: 10 yr prison Maximum Fine: \$250,000
~~Minimum Sentence or~~ Departure Sentence: Optional probation, Mandatory Fine: \$200

8. If there are multiple charges or I am already serving a sentence, I understand that the judge may order me to serve the sentences at the same time (concurrently) or one after the other (consecutively) unless prohibited by ORS 137.123(5).

9. I have been convicted/adjudicated of one or more misdemeanors, felonies and/or Juvenile offenses in the past as follows: None

10. I understand that, in addition to other fines, the judge may order me to pay restitution or a compensatory fine to the victim. If I am unable to pay restitution in full at the time the judgment is entered, I must allege and establish my inability to pay restitution in full.

11. I am presently on **probation** or **post-prison** supervision for: n/k and the maximum sentence(s) for a violation or revocation is: n/k

12. In addition to the sentence imposed, I understand that there are other significant consequences if I enter a "Guilty" or "No Contest" plea, including, but not limited to:

- If I am not a United States citizen, deportation/removal, exclusion from future entry into the United States, or denial of naturalization;
- Violation or revocation of my probation or post prison supervision listed in paragraph #11 above, which may require me to serve any sentence(s) imposed concurrently or consecutively to the sentence that is imposed in this case;
- Registration and reporting as a sex offender;
- Providing a DNA sample;
- Suspension, revocation, or permanent loss of my driving privileges (**driving under the influence of intoxicants, reckless driving, controlled substance offense, etc.**);
- Testing for HIV or other communicable diseases;
- Prohibition from moving out of the state without first requesting transfer of supervision under the provisions of the Interstate Compact for Adult Offender Supervision;
- Forfeiture of any firearm or deadly weapon that was possessed, used, or available for use during the crime;
- Loss of my right to possess, receive, ship, or transport any firearm or firearm ammunition if I am convicted of an offense involving domestic violence, as defined by ORS 135.230. This conviction may negatively affect my ability to be employed in law enforcement or serve in the Armed Forces of the United States.

Defendant's Initials JM

Guilty No Contest to count # 5 /Offense(s) Encouraging Child Sex Abuse I,
Misdemeanor / Felony, Grid Block: 8 / A, Presumptive Sentence: 41-45 months prison
Post-Prison Supervision: 3 years, Maximum Sentence: 10 yr. prison Maximum Fine: \$250,000
Minimum Sentence or Departure Sentence: Optional probation, Mandatory Fine: \$200.

Guilty No Contest to count # 6 /Offense(s) Encouraging Child Sex Abuse I,
Misdemeanor / Felony, Grid Block: 8 / A, Presumptive Sentence: 41-45 months prison
Post-Prison Supervision: 3 years, Maximum Sentence: 10 yr. prison Maximum Fine: \$250,000
Minimum Sentence or Departure Sentence: Optional probation, Mandatory Fine: \$200.

8. If there are multiple charges or I am already serving a sentence, I understand that the judge may order me to serve the sentences at the same time (concurrently) or one after the other (consecutively) unless prohibited by ORS 137.123(5).

9. I have been convicted/adjudicated of one or more misdemeanors, felonies and/or Juvenile offenses in the past as follows: _____

10. I understand that, in addition to other fines, the judge may order me to pay restitution or a compensatory fine to the victim. If I am unable to pay restitution in full at the time the judgment is entered, I must allege and establish my inability to pay restitution in full.

11. I am presently on **probation** or **post-prison** supervision for: _____ and
the maximum sentence(s) for a violation or revocation is: _____

12. In addition to the sentence imposed, I understand that there are other significant consequences if I enter a "Guilty" or "No Contest" plea, including, but not limited to:

- If I am not a United States citizen, deportation/removal, exclusion from future entry into the United States, or denial of naturalization;
- Violation or revocation of my probation or post prison supervision listed in paragraph #11 above, which may require me to serve any sentence(s) imposed concurrently or consecutively to the sentence that is imposed in this case;
- Registration and reporting as a sex offender;
- Providing a DNA sample;
- Suspension, revocation, or permanent loss of my driving privileges (**driving under the influence of intoxicants, reckless driving, controlled substance offense, etc.**);
- Testing for HIV or other communicable diseases;
- Prohibition from moving out of the state without first requesting transfer of supervision under the provisions of the Interstate Compact for Adult Offender Supervision;
- Forfeiture of any firearm or deadly weapon that was possessed, used, or available for use during the crime;
- Loss of my right to possess, receive, ship, or transport any firearm or firearm ammunition if I am convicted of an offense involving domestic violence, as defined by ORS 135.230. This conviction may negatively affect my ability to be employed in law enforcement or serve in the Armed Forces of the United States.

Defendant's Initials JM

Guilty No Contest to count # 7 /Offense(s) Encouraging Child Sex Abuse I.
 Misdemeanor / Felony, Grid Block: 8 / A, Presumptive Sentence: 41-45 months prison,
Post-Prison Supervision: 3 years, Maximum Sentence: 10 yr. prison Maximum Fine: \$250,000
~~Minimum Sentence or~~ Departure Sentence: Optional probation, Mandatory Fine: \$200

Guilty No Contest to count # 8 /Offense(s) Encouraging Child Sex Abuse I.
 Misdemeanor / Felony, Grid Block: 8 / A, Presumptive Sentence: 41-45 months prison
Post-Prison Supervision: 3 years, Maximum Sentence: 10 yr. prison Maximum Fine: \$250,000
~~Minimum Sentence or~~ Departure Sentence: Optional probation, Mandatory Fine: \$200

8. If there are multiple charges or I am already serving a sentence, I understand that the judge may order me to serve the sentences at the same time (concurrently) or one after the other (consecutively) unless prohibited by ORS 137.123(5).

9. I have been convicted/adjudicated of one or more misdemeanors, felonies and/or Juvenile offenses in the past as follows: _____

10. I understand that, in addition to other fines, the judge may order me to pay restitution or a compensatory fine to the victim. If I am unable to pay restitution in full at the time the judgment is entered, I must allege and establish my inability to pay restitution in full.

11. I am presently on **probation** or **post-prison** supervision for: _____ and
the maximum sentence(s) for a violation or revocation is: _____

12. In addition to the sentence imposed, I understand that there are other significant consequences if I enter a "Guilty" or "No Contest" plea, including, but not limited to:

- If I am not a United States citizen, deportation/removal, exclusion from future entry into the United States, or denial of naturalization;
- Violation or revocation of my probation or post prison supervision listed in paragraph #11 above, which may require me to serve any sentence(s) imposed concurrently or consecutively to the sentence that is imposed in this case;
- Registration and reporting as a sex offender;
- Providing a DNA sample;
- Suspension, revocation, or permanent loss of my driving privileges (**driving under the influence of intoxicants, reckless driving, controlled substance offense, etc.**);
- Testing for HIV or other communicable diseases;
- Prohibition from moving out of the state without first requesting transfer of supervision under the provisions of the Interstate Compact for Adult Offender Supervision;
- Forfeiture of any firearm or deadly weapon that was possessed, used, or available for use during the crime;
- Loss of my right to possess, receive, ship, or transport any firearm or firearm ammunition if I am convicted of an offense involving domestic violence, as defined by ORS 135.230. This conviction may negatively affect my ability to be employed in law enforcement or serve in the Armed Forces of the United States.

Defendant's Initials SM

Guilty No Contest to count # 9 /Offense(s) Encouraging Child Sex Abuse I.
 Misdemeanor / Felony, Grid Block: 8 / A, Presumptive Sentence: 41-45 months prison,
Post-Prison Supervision: 3 years, Maximum Sentence: 10 yr. prison Maximum Fine: \$250,000
~~Minimum Sentence or~~ Departure Sentence: Optional probation, Mandatory Fine: \$200.

Guilty No Contest to count # 10 /Offense(s) Encouraging Child Sex Abuse I.
 Misdemeanor / Felony, Grid Block: 8 / A, Presumptive Sentence: 41-45 months prison,
Post-Prison Supervision: 3 years, Maximum Sentence: 10 yr. prison Maximum Fine: \$250,000
~~Minimum Sentence or~~ Departure Sentence: Optional probation, Mandatory Fine: \$200.

8. If there are multiple charges or I am already serving a sentence, I understand that the judge may order me to serve the sentences at the same time (concurrently) or one after the other (consecutively) unless prohibited by ORS 137.123(5).

9. I have been convicted/adjudicated of one or more misdemeanors, felonies and/or Juvenile offenses in the past as follows: _____

10. I understand that, in addition to other fines, the judge may order me to pay restitution or a compensatory fine to the victim. If I am unable to pay restitution in full at the time the judgment is entered, I must allege and establish my inability to pay restitution in full.

11. I am presently on **probation** or **post-prison** supervision for: _____ and
the maximum sentence(s) for a violation or revocation is: _____

12. In addition to the sentence imposed, I understand that there are other significant consequences if I enter a "Guilty" or "No Contest" plea, including, but not limited to:

- If I am not a United States citizen, deportation/removal, exclusion from future entry into the United States, or denial of naturalization;
- Violation or revocation of my probation or post prison supervision listed in paragraph #11 above, which may require me to serve any sentence(s) imposed concurrently or consecutively to the sentence that is imposed in this case;
- Registration and reporting as a sex offender;
- Providing a DNA sample;
- Suspension, revocation, or permanent loss of my driving privileges (**driving under the influence of intoxicants, reckless driving, controlled substance offense, etc.**);
- Testing for HIV or other communicable diseases;
- Prohibition from moving out of the state without first requesting transfer of supervision under the provisions of the Interstate Compact for Adult Offender Supervision;
- Forfeiture of any firearm or deadly weapon that was possessed, used, or available for use during the crime;
- Loss of my right to possess, receive, ship, or transport any firearm or firearm ammunition if I am convicted of an offense involving domestic violence, as defined by ORS 135.230. This conviction may negatively affect my ability to be employed in law enforcement or serve in the Armed Forces of the United States.

Defendant's Initials JM

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13. Other than what is contained in this plea petition, I affirm that no one has promised me anything to enter my plea of "Guilty" or "No Contest." I also affirm that no one has threatened me or forced me to enter this plea.

14. I stipulate to the following sentence (and departure factors); OR I understand that the district attorney agrees to make the following recommendation to the court about my sentence and/or other pending charges; OR this plea has a judicially approved disposition: Open sentencing

see attached addendum.

15. I understand that the court is not bound by any plea agreement I have made with the district attorney unless made pursuant to ORS 135.432(2) (court approved plea agreement). ***I acknowledge that everything that has been agreed to is included in this document or incorporated by reference.***

16. I understand that I may be asked to relate the circumstances surrounding the criminal activity that is the subject of this plea to a pre-sentence investigation writer.

17. I PLEAD "GUILTY" because I did the following: In Washington Co., OR, on 6-11-20, 7-2-20, 7-18-20, 7-20-20, 7-22-20, 7-29-20, 7-31-20, 8-1-20, 8-3-20, & 8-7-20, I unlawfully & knowingly possessed visual recordings of sexually explicit conduct involving children with intent to display those recordings while being aware of and consciously disregarding the fact that creation of those recordings involved child abuse.

18. I PLEAD "NO CONTEST" because I understand that a jury or judge could find me guilty of the charge(s). I prefer to accept the plea offer or plead to the charge.

19. **APPEAL RIGHTS:** Unless this is a conditional plea, I understand the right to appeal my conviction is limited and that I may appeal only if I can make a colorable showing that the sentence exceeds the maximum allowed by law or is unconstitutionally cruel and unusual. If I am financially eligible for court-appointed counsel, I may apply to the court to appoint an attorney to represent me on appeal, to request a transcript of this proceeding, and to have my trial attorney give the Office of Public Defense Services the information necessary to pursue my appeal. I know that I must serve and file the notice of appeal not later than **30 days** after the judgment of conviction is entered in the register, and I may ask my attorney to help me do this. Copies of the notice of appeal must be served on the district attorney, the trial court transcript coordinator (if a transcript is required), and the clerk of the trial court. The original notice and proof of its service must be filed with the clerk of the court to which I am appealing.

20. I agree that if I withdraw or if a court later reverses, vacates, or sets aside my plea of "Guilty" or "No Contest" in this case, the court will reinstate any charge(s) that were dismissed in return for my plea and the district attorney no longer will be bound by any promises made to me in exchange for my plea. If the court reinstates the charge(s), I waive the statute of limitations and any statutory or constitutional speedy trial or double jeopardy rights applicable to the dismissed charges.

Defendant's Initials JM

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21. I am signing this plea petition and entering this plea voluntarily, intelligently, and knowingly with full understanding of all matters set forth in the charging instrument and in this petition.

Signed by me (in the presence of my attorney) this third day of March, 2023.

Jal [Signature]
Defendant

My mailing address is: 11215 SW Davies Rd. #607 Beaverton, OR 97007

Date of Birth: 04-24-1965 Phone Number: (279) 977-4732

Interpreter: n/a Language: English

CERTIFICATE OF COUNSEL

I am the attorney for the defendant in this proceeding and I certify that:

1. I have fully explained to my client the named offenses and lesser-included offenses contained in the charging instrument, and the possible defenses that may apply in this case.
2. I have personally examined the attached *Petition to Plead Guilty/No Contest*, explained all its provisions to my client, and discussed fully with my client all matters described and referred to in the petition.
3. I have explained to my client the maximum penalty and other consequences of entering a guilty or no contest plea, including possible immigration consequences.
4. To the best of my knowledge and belief, my client's decision to enter this plea is made voluntarily, intelligently, and knowingly.
5. I have told my client that if he or she is eligible for court-appointed counsel and wishes to pursue an appeal, I will transmit the information necessary to perfect the appeal to the Office of Public Defense Services.

03-03-2023
Date

[Signature]
Attorney's Signature

921410
OSB No.

Lawrence L. Taylor
Printed name of attorney

FINDINGS

The court finds that defendant's plea of Guilty No Contest is made voluntarily, intelligently, and knowingly.

ORDER

DEFENDANT'S PLEA PETITION IS HEREBY ACCEPTED.

3/3/2023
Date

[Signature]
Circuit Court Judge

ERWIN
Print, Type, or Stamp Name